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COBBETT'S
LEGACY TO PARSONS,

OR

HAVE THE CLERGY OF THE ESTABLISHED CHURCH AN EQUITABLE RIGHT TO
THE TITHES, OR TO ANY OTHER THING CALLED CHURCH PROPERTY,
GREATER THAN THE DISSENTERS HAVE TO THE SAME? AND OUGHT
THERE, OR OUGHT THERE NOT, TO BE A SEPARATION OF THE CHURCH
FROM THE STATE?

IN SIX LETTERS,

ADDRESSED TO

THE CHURCH-PARSONS IN GENERAL, INCLUDING THE CATHEDRAL
AND COLLEGE CLERGY AND THE BISHOPS

WITH

A DEDICATION TO BLOMFIELD,
BISHOP OF LONDON.

BY WILLIAM COBBETT, ESQ. M. P.

FOR OLDHAM.

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DEDICATION

TO JAMES BLOMFIELD, BISHOP OF LONDON.

Normandy Farm, 9th March, 1835.

BISHOP,

About six-and-twenty years ago, you drank tea at my house at BOTLEY, when you were a curate of some place in Norfolk ; or a teacher to the offspring of some hereditary legislator. How rugged has my course been since that time : how thickly has my path been strewed with thorns ! How smooth, how flowery, how pleasant, your career ! Yet, here we are ; you with a mitre on your head, indeed, and a crosier in your holy hands ; I, at the end of my rugged and thorny path in a situation to have a right, in the name of the millions of this nation, to inquire, not only into your conduct, but into the utility of the very office that you fill.

It is now become a question, seriously, publicly, and practically entertained, whether you and your brethren of the Established Church should be legally deprived of all your enormous temporal possessions ; and also, whether your whole order, should not, as a thing supported by the law, be put an end to for ever. These questions must now be discussed.

They are not to be shuffled off by Commissions of Inquiry, or any other Commissions: the people demand a discussion of these questions, and a decision upon them: the Parliament must discuss them; and, this little book, which I now dedicate to you, is written for the purpose of aiding us all in the discussion; so that we may come at last to a just decision.

I select you to dedicate my book to: first because you were a zealous defender of the DEAD-BODY BILL, which consigns the corpses of the most unfortunate of the poor to be cut up by surgeons, instead of being consigned, with double and treble solicitude, to the care of a truly Christian clergy, and provided with all the means and circumstances of the most respectful Christian burial.

Another reason is, that you were a *poor-law commissioner*; one of the authors of that book, which was slyly laid upon the table of the House of Commons, by the Whigs, in 1833; and one of the authors of that voluminous report and appendix, laid upon the table of the same House last year; on which report and appendix the *coarser-food bill* was passed; and in which report and appendix, you have communicated to the House of Commons the most infamous libels against me by name.

Another reason is, that you are a *Church-reform commissioner*, under the present set of Ministers; and that I find, that, while you were Bishop of CHESTER, you made a G. B. BLOMFIELD, a prebendary of CHESTER, and that he now has, in addition to that prebend, two great church livings; namely, the rectory of CADDINGTON, and the rectory of TATTENHALL, each worth, probably, from a thousand to fifteen hundred pounds a year. Now, bishop, this is a very solid reason for addressing

my little book to you ; for, if you can talk of "*Church-reform,*" and about seeking for the *means of providing for the cure of souls*, while this BLOMFIELD has a prebend and two great rectories, it is pretty clear that you want a great deal of *enlightening* on the subject. If you do not, however, many other people do ; and therefore it is, that I write and publish this little book, which is my LEGACY TO PARSONS, and which I most earnestly hope will very soon be amongst the most valuable of their remaining temporal possessions. You will find the little book go to the VERY BOTTOM of the matter ; that it will unveil all the mystery that has hung about this Church for so many years ; that it will leave the people nothing more to ask about the matter ; and put them in a situation to determine reasonably, at once, either to submit to the most crying abuses that ever existed upon the face of the earth ; or to put themselves in motion for the purpose of legally, but resolutely, effectually, and for ever, putting an end to this abuse.

WM. COBBETT.

LETTER I.

HOW CAME THERE TO BE AN ESTABLISHED CHURCH ?

PARSONS,

This question ought to be clearly answered ; because on it must turn the great practical question now at issue ; namely, *has the Parliament the rightful power to assume, to take possession of, and to dispose of, the tithes and all other property, commonly called Church-property, in whatever manner it may think proper ?* You and your partisans contend that it has not this rightful power : I contend that it has. As to the justice and the expediency, we shall have to consider these further on : we have first to settle the question of *right* ; and this question will be settled, at once, when we have seen *how this Church came to be*.

The following facts are undeniable ; namely, that the Roman Catholic religion was the religion of all Christian countries and governments until about the year 1520, when HENRY the Eighth was King of England ; that the Roman Catholics contended that their Church was established by CHRIST and the APOSTLES ; that they ordained that there should be one flock, one fold, and one shepherd ; that the Church was built on *a rock*, the name of St. PETER being synonymous with that of stone, or rock ; that

St. PETER was appointed by this Divine authority to be the first head of the Church, after Christ himself; that the Popes have been, and are, the true successors of St. PETER, by Divine appointment; that the Pope is the one shepherd, to whom all Christians owe spiritual obedience. The religion was called the ROMAN CATHOLIC religion; because the see (that is to say, seat) of St. PETER was at ROME, and because his authority was *universal*, that being the meaning of the word *Catholic*.

No matter as to the truth or error of these opinions and assertions: they prevailed; with here and there an exception, all Christians held these opinions; and, when the Christian religion was introduced into England, which was effectually done about six hundred years after the death of Christ, these opinions prevailed in England as well as in other Christian countries. The Pope was the HEAD OF THE CHURCH here as well as elsewhere; his spiritual authority he exercised without any co-partnership with, or dependence upon, the state; the tithes and oblations were claimed by him and the clergy as things *belonging to God*, and held by them solely by Divine authority. Whatever was given to the Church by any body; whatever endowment, of any description; was held to belong to the Church, independent of all temporal or secular power. The Church claimed to hold its possessions independent of all written laws; they claimed a *prescriptive* right to all their possessions; they allowed no time to work injury to their rights: in short, they claimed to hold their possessions immediately from God himself, as a man claims the right to the possession of his life and his limbs; and, of course, they denied that any legislator, or any body of legislators, possessed, or could possibly possess,

the rightful power to take from them, or to interfere with the management of, any part of those possessions. As I said before, no matter as to the soundness or unsoundness of the doctrines on which these pretensions were founded : such were the doctrines, and such the pretensions ; and, during their prevalence in England, arose our churches, our parishes (or priestships,) our cathedrals, and bishops' sees ; all those monasteries which have since been suppressed and destroyed ; and, along with the rest, our universities and their colleges.

For a Parliament to meddle with a Church like this ; to question the rightful power of a Parliament, consisting of laymen, to meddle with the possessions of a Church like this, having its HEAD totally separate from the temporal sovereignty of the country ; to question the rightful power of a body of laymen to meddle with the property of a Church like this, whose Divine origin, and Divine mission and authority, had been universally acknowledged for above twelve hundred years ; to question the rightful power of a Parliament, in such a case, was not a thing so very unreasonable ; but, on the contrary, the questioners had reason on their side, especially as these doctrines had prevailed during so long a period ; and as the country had been so free, and so happy, during the greater part of that period.

But, Parsons, has your Church any such pretensions ? I have a high opinion of that quality in you, which is usually denominated "*brass*"; but, do you pretend that this Establishment was founded by JESUS CHRIST and his APOSTLES ? Do you pretend to hold your possessions immediately by a grant from God ; and that they are as much yours as my life and my limbs are mine ? Why, yes, you are, at this time (very curious to relate,) en-

deavouring to set up a something of these pretensions; and are positively asserting that you hold your possessions, and to the exclusion too of all other Christian sects, by a right of *prescription*; that is to say, a right which existed before all written laws. This was distinctly stated by Sir ROBERT PEEL, during the discussion of the question relative to the admission of Dissenters to take degrees in the Universities. Quite enough had been written and published by me, long before, to show that it was rapine, on the part of those who took the Church-property from Catholics and gave it to Protestants; that that was an act of rapine, and not an act of rightful power, on the part of the Parliament of that day, unless the present Parliament had the rightful power to take the property from the present possessors and dispose of it at its pleasure. Perceiving the irresistible force of this argument, Sir ROBERT PEEL, forgetting all about the lay-impropriations, discovered that the *Catholic Church had a prescriptive right* to its possessions; and that the Parliament had *never meddled with that prescriptive right*; that the Established Church was still, in fact, *the Catholic Church*, and was merely *reformed*; and that it was in the possession of all the prescriptive rights which had ever belonged to "Holy Church!"

If these were so; if you were merely a reformed Catholic Church, and the regular successors of the bishops and priests of the Roman Catholic religion; then all the lay-estates, in tithes, or in lands, which were formerly possessed by your predecessors, are wholly destitute of a title; and the owners may, any day, be legally ejected by the King's Attorney-General; and the King may order the estates to be returned to you. However, we are now going

to look at the reality ; we are now going to see, that, to tithes, to oblations, to bishops' lands, to college lands, to any thing that you possess, as clergy of the Church, you have no prescriptive right, any more than the Duke of WELLINGTON has to his estates of STRATHFIELDSAYE, which he possesses in virtue of an Act of Parliament, and solely in virtue of that Act of Parliament. Indeed, what are the names, style, and title of your Church? Why, "*The Protestant Church of England, as by law established*;" not as by CHRIST established; not as established by the Apostles. The King's coronation oath binds him to support the Protestant Church "*as by law established*:" and this description was invented, too, for the express purpose of distinguishing the tenure of your Church from that of the Roman Catholic Church; the tenure of which was by prescription, independent of all written law. In short, yours is a church *founded solely on acts of the Parliament, sitting at Westminster*; and we are now going to see what those Acts of Parliament were; under what circumstances they were passed; and the sort of men by whom they were passed; together with the manifest motives and objects of those men.

The Roman Catholic Church had begun to have its authority disputed, in some parts of Christendom, about the year 1520. At this time HENRY the Eighth, for the purpose of gratifying his own wicked passions, joined those who had begun to deny the authority of the pope as head of the church, though he had before written a book in defence of that authority, for which he had received the title of "*Defender of the Faith*," which our kings retain to this day, though by their corona-

tion-oath they solemnly protest against that very faith, of which HENRY the Eighth was the *Defender*! This monster of cruelty proclaimed himself to be *the Supreme head of Christ's Church* in England; and he put to death hundreds of most virtuous and excellent persons because they would not take an oath recognising his spiritual supremacy. Finding his most strenuous opponents to be in the monasteries, and, at the same time, eager to get hold of the possessions of those monasteries, as the means of bribing over to his side the most powerful men in the country, he suppressed; that is to say, he confiscated and took possession of, all the monasteries and all their immense estates. This was not done without Acts of Parliament. Two Acts were passed: one in the 27th year of his reign, and in the year 1535; the other in the 31st year of his reign, and in the year 1539. These Acts of the Parliament granted to him all this great mass of possessions; and granted to him, also, a very considerable part of the great tithes of the parishes; because the monasteries had, in many cases, become both the patrons and incumbents of the benefices of the parishes. Thus, more than a third part of the whole of the real property of the kingdom was granted to him by the Parliament, with power to him to give it away to whom he pleased; to sell it, or to exchange it. Those who passed these Acts knew very well that they should have the chief share of the spoil. He was compelled to divide this spoil amongst the noblemen, gentlemen, and all persons of great power and influence in the country; in order to bind them up in the same girdle with himself. This he did, without loss of time, and we are now going to see the prodigious effect of this division of the spoil; and especially we are

going to see its great effect in the producing of this present Church of England, "as by law established."

Amidst such assaults as these, it was impossible that the Roman Catholic Church should remain unshaken. When men saw these monstrous acts of what had hitherto been deemed sacrilege, committed, not only with impunity, but under the sanction of law; when they saw a mere layman assume the spiritual supremacy of the Church of Christ; when they saw innumerable persons put to death for refusing to swear, that they believed that which they had always been taught to disbelieve; when they heard this new head of the Church proclaiming one sort of creed one day, and another sort of creed another day; when they saw him burning Protestants and Catholics at the same stake; and still heard him call himself a Catholic king, and a spiritual head of the Church at the same time: amidst all these things, it was impossible that men could retain anything like an unity of faith: it was impossible that the nation should not be split up into a diversity of sects; that each man should not claim a right to think and decide for himself in religious matters; and this actually was the state of England in this respect, at the time of the death of this merciless tyrant, which took place in the year 1547, when he expired, in the fifty-sixth year of his age, and in the thirty-eighth of his reign, the most unjust, hard-hearted, meanest, and most sanguinary tyrant, that the world had ever beheld, whether Christian or Heathen. As long as this tyrant existed, the holders of confiscated Church-property, which was also *the patrimony of the poor*, at the same time, were safe in their possessions, under his sort of mongrel Catholic Church; but, when

his son, EDWARD the Sixth (a mere boy,) succeeded him, and the government was to be carried on by guardians and trustees, there was great danger that the people would resume their rights, at any rate; that the Pope would, in a short time, resume his power in England, where the parish-priests were still Catholic; and if he resumed his power, the sharers in the plunder were in a perilous state, as far as related to that plunder. Therefore, in order to obviate this danger, it was necessary to abrogate, to put down by Act of Parliament, to efface, forever, if possible, the Catholic religion in England. And, Parsons, look at the thing well; for here you will find the first, the great, the all powerful, motive for making the Protestant Church, "as by law established." If men had been left without any law to compel them to submit to any particular church, they who had never had an idea of tithes, oblations, or Church-land rents, payable to *mere laymen*, never could have long submitted to such payment. Nothing but the axes and the halters, and the fires of HENRY the Eighth, could have induced them to submit to this. It was therefore, necessary to *make another Church*; and to give to that Church all the powers, all the exclusive benefits, all the protection, and all the advantages, necessary to make it a valuable thing to those who would necessarily have its patronage exclusively in their hands.

With these motives in their minds, and these objects before them, the nobility, the powerful gentry, to name them by one word, the ARISTOCRACY, having got rid of the old tyrant, and his mongrel Catholic religion, resolved to make a new Church, by law, and a *Protestant Church*, in order that the Pope might never come and instigate the people to

make them restore the landed estates and the tithes, which they had got into their possession by grants from the barbarous old tyrant. In their execution of this design, this nation witnessed scenes never before witnessed in the world; such insincerity; such barefaced apostacy; such greediness; such injustice; such defiance of every sentiment of morality, and every sentiment of religion; such prostration of character; as cannot be described by tongue, or pen, except in faithfully relating the facts; and it would be wise in you, Parsons, never to direct our eyes back to THE ORIGIN of this Church, as by law established. The Catholics assert that their Church originated with CHRIST and his Apostles: yours originated with the aristocracy of England, whose conduct, in the making of this Church, we have now to survey; we have now to look at it, in its true colours, be the effects in our minds what they may.

The *motives* for making the Church I have described; and now we have to see something of the manner of making it. The first step was by act of Parliament, 1st year of EDWARD the Sixth, chapter 1; and in the year 1547. This is an Act to punish people for speaking irreverently against the sacrament, taken in *both kinds*, which was contrary to the practice of the Catholic Church. The preamble of the Act tells us, that this new practice had been ridiculed by the people "in dialogues, rhymes, songs, plays, and jests." The sharers of the spoil of the Church and the poor were by no means disposed to suffer songs and jests upon the subject. They, therefore, enacted, that these rhymsters and singers should suffer "imprisonment of their bodies, and fines, at the king's will and pleasure." Though this was wholly a new thing; quite con-

trary to the faith and practice of the people and of their forefathers for nine hundred years; a new invention, oversetting the main pillar of their faith. This monstrous severity was followed by an enactment, giving a new interpretation to the Holy Scriptures, and containing an assertion laid down by mere laymen, that both the bread and the wine were necessary to be taken. But, this was only a little beginning; this was only a foretaste of that which was to come: it was a preparing of the way for the making of this Church, the fate of which is now to be decided.

In the second year of the reign of this boy king (who was now only *eleven* years old,) who was, at once, supreme spiritual head of the Church, and secular sovereign of the State, this Protestant Church and religion were established. The Roman Catholic religion having been abrogated; having been protested against, and declared to be idolatrous and damnable, all men were let loose to choose for themselves, each having the Bible in his hands. One sect had as much right to the churches and the tithes as another sect; but this would never have done for the aristocracy. The remaining tithes, the oblations, the bishop's lands, the college lands: these were too valuable to be suffered to be scrambled for; and though the aristocracy had protested against that Church, to which they had belonged, and for the support of which they had been given, still they had no quarrel with the things themselves: they had not protested against the tithes, and the lands, and the oblations; they had only protested against their being in hands other than their own. The Catholic religion was idolatrous and damnable; but they saw nothing either idolatrous or damnable, in the lands, the tithes,

and the oblations. These, therefore, they resolved to keep ; but to keep them, they must have another Church ; and to that Church all must yield tithes and oblations, however contrary its creeds might be to the faith which the Scriptures taught them to adopt, or which they had been taught by their fathers from generation to generation. The preamble of the Act of Parliament (1st and 2nd Edward the Sixth) tells us, that “the king, in his great goodness, has appointed the Archbishop of CANTERBURY (CRANMER,) and others, to draw, and make, one meet order, rite, and fashion, of COMMON AND OPEN PRAYER, and Administration of Sacraments, to be had, and used in his Majesty’s realm of England and Wales ; the which, at this time, BY AID OF THE HOLY GHOST, with one uniform agreement is of them concluded, set forth, and delivered to his Highness” (*eleven years of age*,) “to his great comfort and quietness of mind, intituled, *The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, after the use of the Church of England*. Wherefore, the Lords Spiritual and Temporal in this present Parliament assembled, considering, as well the most godly travel of the king’s highness” (*eleven years of age*,) “of the Lord Protector, and of other, his Highness’s council, in gathering and collecting the said Archbishop and learned men together, as the godly Prayers, Rites, and Ceremonies, in the said book mentioned ; and the considerations of altering those things which he altered, and retaining those things which he retained in the said book, but also *the honour of God* and great quietness, which, by the grace of God, shall ensue, do give his Highness most hearty and lowly thanks for the same.”

Bearing in mind this assertion about the *aid of the Holy Ghost*, in this work, let us now come to the *enactments*. You, Parsons, found the Church's prescriptive rights upon the assertion, *that there never was any Act of Parliament for taking the benefices away from the Catholics, and giving them to the Protestants*; that the Catholic parish-priests were *never ousted* from their benefices by Act of Parliament; that they became converted in their several parishes; or continued to exercise their functions as before, till the day of their death; or that they went away from their benefices without force: so that, as they had, unquestionably, a prescriptive right to their benefices, the present parsons stand fairly in their shoes, and have a *prescriptive right* too. Now, then, let us see how this matter stands. The king had put forth a book of Homilies and a Catechism. Priests had been permitted to marry; and an Act was soon after passed (2nd and 3d Edward the Sixth, chap. 21) to allow priests to marry. Every inducement had been offered to withdraw the parish-priests from their religion; but still, with very few scandalous exceptions, they remained firm in their faith and their practice, at the time of the passing of this Act. The Act, therefore, provided, that, if any rector, vicar, perpetual curate, or other priest, with benefice, should in future say mass in the usual manner, and not use the Common Prayer Book, he should forfeit to the king one year's revenue of his benefice, and be imprisoned for six months; that for a second offence, he should be deprived of his benefice, and of all his spiritual promotions, and be imprisoned for one whole year; for a third offence, imprisonment during his natural life; that, if the priest had no benefice, he should be imprisoned for

six months for the first offence ; and for the second offence, should be imprisoned for his natural life ! Thus did this gentle Christian Church begin ; thus did the Angel of Charity, Humility, and Humanity, preside at her birth. But the Act did not stop here, it went on to the laity ; and it enacted, that if any one should, by interludes, plays, songs, rhymes, or by other open words, declare, or speak any thing in derogation, depraving, or despising, the said Book of Common Prayer, penalty after penalty were to follow, till at last came forfeiture of goods and chattels to the king, and imprisonment during the natural life of the party !

Here we have a faithful account of the BIRTH of this famous Church, which simply put it to the priests and the people : “ *Here is this Church ; take it ; or, take pecuniary ruin and imprisonment for life ;* ” and in the face of these undeniable facts, is there any one base enough to say, that the Catholic priests were not *ousted by force* and by *Act of Parliament* ? The Act provides for the depriving of the party of his benefice, and of all spiritual promotion whatever, unless he apostatize from the Catholic religion ; and it authorizes patrons to appoint Protestant ministers to succeed him, in just the same manner as if he were dead. Will Sir ROBERT PEEL call this “ a *reformed Catholic church*,” then ? Will he again say, that the Protestant parsons stand in the *prescriptive shoes* of the Catholic priests ?

But, the reader will say, did this COMMON PRAYER Book always continue in use, after this Act was passed ? Oh no ! And now we have to see what sort of men those were who made this new Church, and to see well what their motives were.

For very much depends upon this, when we are estimating the character of this Church.

This church-making king died at the end of about seven years, and was succeeded on the throne by his sister MARY, who was a Catholic; and who, proceeding upon the settled constitution and laws of the country, resolved upon restoring the Catholic religion. The Common Prayer Book aristocracy, exceedingly alarmed at this prospect; not so much alarmed, however, for the almost certain loss of the Common Prayer Book and the new Church, as for the possible, and even probable, loss of that immense mass of property of the Church and the poor, which they had got into their possession, by the means before mentioned, entered into a negotiation with the queen, *agreeing to give up their Common Prayer Book* and their Protestant religion; agreeing to bring back the Catholic religion into the country, and to punish parsons for not being Catholics, as they had punished them before for not being Protestants; agreeing to confess themselves to have been schismatics; agreeing to receive absolution from the Pope, for having rebelled against his authority; agreeing to reinstate him in all his power in England, which they before designated as abominable usurpations; agreeing, above all things, to abrogate as schismatical that very Common Prayer Book which they had before declared, in the preamble to an Act of Parliament, to have been composed by the "AID OF THE HOLY GHOST," and which was, they said, made "*to the honour of God*;" agreeing to all this, if the queen would obtain the consent of the Pope, and give her own consent, *to suffer them to keep the immense masses of property in land and in tithes*, which, during the two preceding reigns, they had grasped

from the Church and the poor ! This is something so monstrous, that I would venture to state it upon no authority short of that of an Act of Parliament ; and yet it is by no means the worst that we have to behold on the part of these men who called themselves *noblemen* and *gentlemen*, and whose descendants coolly assume the same appellations !

As a sort of prelude to the monstrous acts, which they were about to perform, they passed, almost as soon as Mary was upon the throne, an Act to *repeal the whole of the famous Act, making the Common Prayer Book* ; and that too upon the ground, that it was contrary to the true religion ; though they alleged that they had been *assisted by the Holy Ghost*, in the making of that Book of Common Prayer ! They abolished all the penalties for persons acting plays, singing songs, ridiculing the new religion ; they repealed the law for preventing images being put up in churches ; they repealed the law permitting priests to marry ; they swept away, by this Act of Parliament, every vestige of the Protestant Church service, and reinstated the service of the Catholic religion ; brought in again the singing of the mass in all the churches and chapels : and this too upon the express ground that they had been for years *wandering in error* and in *schism* ; though, never forget, that they asserted that the HOLY GHOST had assisted them in making their Common Prayer Book !

This, however, was only a beginning. Having made their bargain to keep the lands and the tithes, which they had taken from the Church and the Poor, they petitioned the Queen to intercede with the Pope to forgive them for all the sins which they had committed against him, and against the Catholic faith ; to “assoil, discharge, and deliver

them from all ecclesiastical excommunications, in terdictions, and censures, hanging over their heads, for their faults during the schism: and to take them again into the bosom of Holy Church." The Queen, detesting the monsters in her heart, no doubt, consented, and obtained the Pope's consent, to let them keep the lands and the tithes; not because it was right, but because it was thought to be an evil less than that of a civil war, which might have been produced by a rejection of the terms of this agreement. Having obtained the security, Cardinal POLE was sent over by the Pope, as his legate, authorized to give them pardon and absolution. To work they went, instantly, to repeal every act made, after HENRY the Eighth began his rebellion against the Pope; every act at all trenching on the papal authority; but taking special care in the same Act to secure to themselves the safe possession of all the property of the Church and the Poor, which they had grasped, during the reigns of HENRY and of EDWARD. Though, I say I am referring to Acts of Parliament, and though the reader will, upon reflection, know that I should not dare to state the substance of those acts untruly, still I cannot give an adequate idea of the character of these Protestant church-makers, without taking their own words, as I find them in the preamble to this Act, 1st and 2nd of MARY, chapter 8; and when I read it, I always wonder that some scheme or other has not been invented for the obliterating, for the erasing, from the statute-book, words so dishonourable, so indelibly infamous.

"Whereas, since the twentieth year of King HENRY the Eighth of famous Memory, Father unto your Majesty our most natural Sovereign, and gracious Lady and Queen, much false and erroneous

Doctrine hath been taught, preached and written, partly by divers the natural-born subjects of this Realm, and partly being brought in hither from sundry other Foreign countries, hath been sown and spread abroad within the same: By reason whereof, as well the Spirituality as the Temporality of your Highness' Realms and Dominions have swerved from the obedience of the See Apostolick, and declined from the Unity of Christ's Church, and so have continued, until such Time as your Majesty being first raised up by God, and set in the seat Royal over us, and then by his Divine and gracious Providence knit in Marriage with the most noble and virtuous Prince the King our Sovereign Lord your Husband, the Pope's Holiness and the See Apostolick sent hither unto your Majesties (as unto Persons undefiled, and by God's goodness preserved from the common Infection aforesaid) and to the whole Realm, the most Reverend Father in God the Lord Cardinal Pole, Legate *de latere*, to call us home again into the right way from whence we have all this long while wandered and strayed abroad; and we, after sundry long and grievous plagues and calamities, seeing by the Goodness of God our own errors, have acknowledged the same unto the said most Reverend Father, and by him have been and are the rather at the contemplation of your Majesties, received and embraced unto the Unity and Bosom of Christ's Church, and upon our humble submission and promise made for a Declaration of our Repentance, to repeal and abrogate such Acts and Statutes as had been made in Parliament since the said twentieth year of the said King *Henry* the Eighth, against the Supremacy of the See Apostolick, as in our Submission exhibited to the said most Reverend Father in God by

your Majesties appeareth: The Tenour whereof ensueth.

“ We the Lords Spiritual and Temporal and the Commons, assembled in this present Parliament, representing the whole Body of the Realm of *England*, and the Dominions of the same, in the Name of ourselves particularly, and also of the said Body universally, in this our supplication directed to your Majesties, with most humble suit, that it may by your Graces Intercession and mean be exhibited to the most Reverend Father in God, the Lord Cardinal *Pole*, Legate, sent specially hither from our most Holy Father Pope *Julian* the Third and the See Apostolick of *Rome*, do declare ourselves very sorry and repentant of the Schism and Disobedience committed in this Realm and Dominions aforesaid against the See Apostolick, either by making, agreeing, or executing any Laws, Ordinances or Commandments, against the Supremacy of the said See, or otherwise doing or speaking, that might impugn the same: Offering ourselves and promising by this our Supplication, that for a Token and Knowledge of our said repentance, we be and shall be always ready, under and with the Authorities of your Majesties, to the uttermost of our powers, to do that shall lie in us for the Abrogation and Repealing of the said Laws and Ordinances, in this present Parliament, as well for ourselves as for the whole Body whom we represent: Whereupon we most humbly desire your Majesties, as Personages undefiled in the Offence of this Body towards the said See, which nevertheless God by his Providence hath made subject to you, so to set forth this our humble Suit, that we may obtain from the See Apostolick, by the said most Reverend Father, as well particularly and generally, Absolution, Re-

lease and Discharge from all Danger of such Censures and Sentences, as by the Laws of the Church we be fallen into; and that we may as Children repentant be received into the Bosom and Unity of Christ's Church, so as this noble Realm, with all the members thereof, may in this Unity and perfect Obedience to the See Apostolick, and Popes for the time being, serve God and your Majesties, to the furtherance and advancement of his Honour and Glory. We are, at the intercession of your Majesties, by the authority of our holy Father Pope *Julian* the Third and of the See Apostolick, assoiled, discharged and delivered from the Excommunications, Interdictions, and other Censures Ecclesiastical, which hath hanged over our heads, for our said defaults, since the Time of the said Schism mentioned in our Supplication: It may now like your Majesties, that for the Accomplishment of our Promise made in the said Supplication, that is, to repeal all the Laws and Statutes made contrary to the said Supremacy and See Apostolick, during the said Schism, the which is to be understood since the twentieth year of the reign of the said late King *Henry* the Eighth, and so the said Lord Legate doth accept and recognise the same."

After this most solemn recantation; after this appeal to God for the sincerity of their repentance, they proceeded to enact the repeal of every Act that had ever been passed to infringe upon the supremacy or authority of the Pope; they, in the most express and solemn manner, enacted that no king or queen of England *was ever*, or *ever could be* the head of the Church; or had, or ever could have, any pretension to a right of supremacy in regard to the Church. But, in the same Act of Parliament, every sentence of which makes one shudder as one

reads it, they took special care, while they acknowledged the act of plunder, to secure to themselves, by clause upon clause, the *uninterrupted possession of that third part of the property of the kingdom, which they had grasped from the Church and the poor !*

But, at any rate, they were now Catholics again ; they were once more Roman Catholics. They had been born and bred Roman Catholics ; they had apostatized, and protested against the faith of their fathers, for the purpose of getting possession of a large part of the property of the kingdom ; but having now made safe the possession of this enormous mass of plunder ; and having, nevertheless, been absolved of their sins, and taken back into the bosom of the Church, they, surely, now remained Roman Catholics to the end of their days ? Not they, indeed ; for the moment the death of MARY took place, which was in 1558, that is to say, at the end of five years, they undid all that they had done in the time of MARY ; apostatized again, and declared their abhorrence of that Church, into the bosom of which they had so recently thanked the Queen for having interceded with the Pope to receive them !

This would not, and could not, be believed, if it were not upon record in the Statute Book, which cannot lie, in this case ; and which contains in this case, too, the *law as we have now to obey it*. ELIZABETH, the immediate successor of MARY, was a Catholic herself, by profession and public worship ; she was crowned by a Catholic bishop ; her manifest intention, at first, was to maintain the Catholic religion : but she was *a bastard*, according to the law, she having been born of another woman, while her father's first wife was still alive ; besides which, an Act had been passed in her father's

life-time, declaring her to be a bastard. All this would not have signified much; but the Pope would not recognise her legitimacy; and of course would not acknowledge her right to reign as Queen of England. Finding this, she resolved to be Protestant; and resolved that her people should be Protestant, too. The very first Act of Parliament of her reign, therefore swept away the whole that had been done during the reign of MARY; and the Act (1st of ELIZABETH, chapter 1) repealed the whole of the Act of which I have just quoted the memorable preamble, except only those parts of it which secured the plunder of the Church and the poor to those who had got possession of it; and those same men, who had so recently received absolution from the Pope, for having acknowledged the ecclesiastical supremacy to be in the king, now enacted, that that supremacy had always belonged to the king; that it never had belonged to the Pope; that the Pope had usurped it: and they even went so far now as to exact an OATH from every Englishman, if the Queen chose to require it, declaring a firm belief in this supremacy of the Queen! The oath (in use to this day) begins thus, "I, A. B., do utterly declare and testify in my conscience, that the Queen's Highness is the only supreme governor of this realm, as well in all spiritual and ecclesiastical things, or causes, as temporal!" An oath was now to come to re-assert that, which these very men had supplicated pardon and absolution from the Pope, and prayed for forgiveness to God, for having asserted before!

But the second Act (1st Elizabeth, chapter 2) *brought back the Prayer Book again*. The horrible men, whose conduct we have been reviewing, had condemned their Prayer Book as schismatical;

had abolished it by their Acts ; and had reinstated Catholic priests in the churches. They now, in the act of which I am speaking, ousted them again ; re-enacted the Common Prayer Book ; and inflicted penalties upon the priests who should refuse to apostatize by becoming Protestants and using this book in their churches. For the first offence, such priest was to forfeit a year's revenue of his benefice, and be imprisoned for six months. For a second offence he was to lose all his ecclesiastical preferments and possessions, and was, besides, to be imprisoned during the remainder of his life. If he were a priest without benefice, he was to be imprisoned, for the first offence, during a whole year ; for the second offence imprisoned during his whole life. For speaking in derogation of the Prayer Book ; or to ridicule the new religion, by songs, plays, jests, of any sort, the offender was to forfeit a hundred marks for the first offence ; four hundred marks for the second offence (equal to two thousand pounds of the money of this day ;) and, for the third offence, to forfeit to the Queen all his goods and chattels, and be imprisoned for life. Every person was compelled on Sundays, and holy-days, to attend at the Church, to hear this common prayer, under various pecuniary penalties, and, in failure of paying the penalties, to be imprisoned. Bishops, Archdeacons, and other ordinaries, were to have power for inflicting these punishments. This Act of confiscation, of ruin, of stripes, of death, was enforced with all the rigour that imagination can conceive. The Queen reigned for forty-five years, and these forty-five years were spent in deeds of such cruelty, as the world had never heard of or read of before ; and all for the purpose of compelling her people to submit to this established

Church. With regard to the cruelties of this monster in woman's shape ; her butcherings ; her ripplings-up ; her tearing-out of the bowels of her subjects ; her racks ; her torments, of every description, in which she was always cordially supported by the law-giving makers of the Prayer Book, I must refer the reader to my "*History of the Protestant Reformation*:" suffice it to say, that, in these forty-five years which were employed in the establishing of this Church, there were more cruelty, more bloodshed, more suffering, than ever were witnessed in the world, in any other country, in a like period of time.

The main thing, however, to be kept in view here, is the fact, which all these Acts of Parliament so fully confirm, that this Church was created by Acts of Parliament ; that it has no existence as a church ; that it has no rite, no ceremony, no creed, no article of faith, which has not sprung out of an Act of the Parliament ; and that there is nothing of prescription belonging to it, from its first being named amongst men, until the present hour.

It is not, by any means, when we are examining into the origin, and the pretended *unalienable* rights of this Church ; it is not, by any means, unnecessary to look well at the conduct and character of those parliaments, who passed the several Acts, by which the Church was made. It was manifestly not made by CHRIST and his apostles. It is certain that it was made by Acts of Parliament ; but, if those who composed those parliaments, had been men resembling the fathers of the Church ; if they had been men of acknowledged piety and disinterestedness, their character would have thrown a sort of lustre over the thing that they had made ; but when we find them begin by an act of plunder,

so great as to be almost incredible ; when we see them remain Catholics till this plunder became in danger, by the existence of that religion ; when we see them turn Protestants, and make the Church and its Prayer-book, and ascribe the success of the undertaking to the aid given them by the Holy Ghost ; when we afterwards see them abolishing this Prayer-book, declaring it to have been schismatical, supplicating a Catholic queen to interfere with the Pope for pardon for having made it ; when we see them actually receiving absolution from the Pope's legate, for having made this book, the making of which they had ascribed to the aid of the Holy Ghost ; when we see them afterwards re-recant and re-apostatize ; when we see them re-enact the Common Prayer-book, re-enforce it upon the people ; and, especially, when we see this remarkable circumstance ; that, when they had to suffer the Catholic religion to take its course ; when the object of their enactments was, to restore *that* religion, they *had no penalties to inflict* ; no compulsion to exercise ; no fines to impose, in order to drag the people to the Church ; but that, when they had their Prayer-book Church to establish ; then they had fines, forfeitures, imprisonment for life, to inflict ; and every thing short of immediate death, in order to secure any thing like compliance on the part of the people.

Thus was this Church established, not, as her defenders pretend, by the reasonableness of the institution itself ; not by its own "*inherent beauty and simplicity*," as the fat and impudent pluralists tells us ; not by the pretended "*reform of abuses*" which its institution effected ; but solely by Acts of Parliament, of the most severe and cruel character ; and executed with the most savage barbarity. The

authors of these Acts were triple apostates ; by far the most shameless apostates, the most barefaced, the most unblushing, that the world has ever seen. The origin of this Church, then, is not only to be found in mere Acts of Parliament, but in Acts of Parliament causing sheer force, bodily coercion, pains and penalties, at every step, to be used ; this is the main thing to keep in view, when the end of our inquiry is to be, whether it be not now proper to take from this Church the protection of the State.

These are the Acts of Parliament to be attended to in a particular manner ; first, 2d and 3d Edward the SIXTH, chapter 1 ; second, 1st of ELIZABETH, chapter 2 ; third, 13th of ELIZABETH, chapter 12. The first relates to the making of the Common Prayer Book, by CRANMER and his associates ; and here we must stop for a moment to inquire a little what this CRANMER was. We know that he was ARCHBISHOP OF CANTERBURY, at the time when he made this Prayer Book. The whole of the history of this man ; of all his horrid deeds, and those of his associates, is to be found in my "*History of the Protestant Reformation* ;" but as we are now speaking of that famous Church, of which he was the founder, and of that Prayer Book, of which he was the principal author, I must give, respecting him, an extract from that book ; for, without knowing *who* and *what* he was, we shall not have all the merits of this Church fairly before us. "Black as many others are, they bleach the moment that CRANMER appears in his true colours. But, alas ! where is the pen, or tongue, to give us those colours ? Of the 65 years that he lived, and of the 35 years of his manhood, 29 years were spent in the commission of a series of acts, which, for wickedness in their nature, and for mischief in their

consequences, are absolutely without any thing approaching to a parallel in the annals of human infamy. Being a *fellow* of a college at Cambridge, and having, of course, made an engagement (as the *fellows* do to this day,) not to marry while he was a fellow, he married *secretly*, and still enjoyed his fellowship. While a married man he became a priest, and took the *oath of celibacy*; and, going to Germany, he *married another* wife, the daughter of a Protestant; so that he had now two wives at one time, though his *oath* bound him to have no wife at all. He, as Archbishop, enforced the law of celibacy, while he himself secretly kept his German *frow* in the palace at Canterbury, having, as we have seen in paragraph 104, imported her in a chest. He, as ecclesiastical judge, divorced Henry VIII. from *three wives*, the grounds of his decision in two of the cases being directly the contrary of those which he himself had laid down when he *declared the marriages to be valid*; and, in the case of ANNE BOLEYN, he, as ecclesiastical judge, pronounced, that Anne had *never been the king's wife*; while, as a member of the House of Peers, he *voted for her death*, as having been an *adulteress*, and, thereby, guilty of *treason* to her *husband*. As Archbishop under Henry (which office he entered upon with a premeditated false oath on his lips,) he sent men and women to the stake because they were *not Catholics* and he sent *Catholics* to the stake, because they would not acknowledge the King's supremacy, and thereby perjure themselves as he had so often done. Become openly a Protestant, in Edward's reign, and openly professing those very principles for the professing of which he had burnt others, he now *burnt his fellow Protestants*, because their grounds for

protesting were *different from his*. As executor of the will of his old master, Henry, which gave the crown (after Edward) to his daughters, Mary and Elizabeth, he conspired with others to rob those two daughters of their right, and to give the crown to LADY JANE GREY, that Queen of nine days, whom he, with others, ordered to be proclaimed. Confined, notwithstanding his many monstrous crimes, merely to the palace at Lambeth, he, in requital of the Queen's lenity, plotted with traitors in the pay of France to overset her government. Brought, at last, to trial and to condemnation as a heretic, he professed himself ready to *recant*. He was respited for six weeks, during which time he signed *six different forms of recantation*, each more ample than the former. He declared that the Protestant religion was *false*; that the Catholic religion was the *only true one*; that he now believed in all the doctrines of the Catholic Church; that he had been a horrid blasphemer against the sacrament; that he was unworthy of forgiveness; that he prayed the People, the Queen, and the Pope, to have pity on, and to pray for, his wretched soul; and that he had made and signed this declaration without fear, and without hope of favour, and for the discharge of his conscience, and as a warning to others. It was a question in the Queen's council, whether he should be pardoned, as other recanters had been; but it was resolved, that his crimes were so enormous that it would be unjust to let him escape; to which might have been added, that it could have done the Catholic Church no honour to see reconciled to it a wretch covered with robberies, perjuries, treasons, and bloodshed. Brought, therefore, to the *public reading* of his recantation, on his way to the stake; seeing the pile ready; now *finding*

that he must die, and carrying in his breast all his malignity undiminished, he *recanted his recantation*. thrust into *the fire the hand that had signed it*, and thus expired, protesting against that very religion in which, only nine hours before, he had called God to witness that he firmly believed !”

Now, not one of these facts can be denied ; but, at the very least, we know that he was an apostate, a perjurer, and a murderer ; and we know that the Act, which enacted the Prayer Book, tells us, that he was at the head of those persons who, “ with the aid of the Holy Ghost,” composed that Prayer Book.

The second of these Acts of Parliament is 1st ELIZABETH, chapter 2, which re-enacts the former act, and adds to the severity of its provisions. The third is 13th ELIZABETH, chapter 12, relating to the ARTICLES OF RELIGION ; and excluding from all share in the tithes, or any other Church-property, all persons who will not swear to, and subscribe, those articles.

These Acts of Parliament, having been read with due care, you see clearly, “ *how there came to be an Established Church ;*” and you are able to answer, at once, the question, whether this Church have any rights, or can have any rights, other than those which it derives from Acts of the Parliament. This is now a matter of the greatest possible importance ; for now, at the distance of two hundred and eighty-seven years from the time of passing the Act of EDWARD the Sixth, which first made the Church and the Prayer Book, the Parliament (still sitting at Westminster) has to discuss the question ; and is now actually, indeed, engaged in the discussion of the question ; *whether this Church stands on prescription, or on Acts of Parliament*. I have laid before you the Acts by which it was made ; by which

it was created ; from which it entirely sprang, and had its being ; and I defy any man to discover any circumstance which can give it a pretence for claiming any right not founded on these Acts of Parliament.

What a Parliament can *do*, a Parliament can *undo*. If there be property of any sort, that a parliament can take from one description of persons, and give it to another description of persons, a parliament can take that same property again, and dispose of it in a similar, or in any other manner. This, Parsons, is what you are so much afraid of now ! I, for instance, would take away the whole of the property from you, and dispose of it in another manner ; others would not go so far ; but you have cunning enough to perceive, that, if once a beginning is made, no one can tell where we are to end. Therefore, it is, that you and your partizans contend, that you have a *right of prescription*, such as a man has to an estate, purely private ; that your right of possession is *beyond all the inquiries of law*, and that a Parliament must be a tyrant, and guilty of rapine, if, by its acts, it alienate any part of your property.

Those who hold this doctrine forget its inevitable effect on the titles of all the holders of abbey-lands, and all the lay-holders of tithes. There are, very frequently, lay-holders of oblations, too ; but, for clearness and simplicity's sake, I will confine myself, for the present, to the *lay-tithes*. These tithes, which are now deemed private property, were taken from the Church ; were taken from the parochial clergy ; and granted to the king ; and by him granted to private persons ; and thus were totally alienated from the Church. Do you say, that this was an act of rapine ? Do you say, that the Parliament had no rightful power to do this ? Do

you say, that this law was contrary to the rights of prescription, and the laws of God; and that, therefore, according to the maxims of our law, it was no law at all, but an act of rapine? So said the people of England, at the time; and the people actually refused to yield their tithes to laymen, pleading the law of God; denying that any Parliament had a right to pass a law, authorizing laymen to receive tithes.

But those who had passed the laws which took the tithes from the Church and the poor, and put them into their own hands, soon found the means of compelling the people to submit to it, whether it were rapine, or not. The Act 27th HENRY the Eighth, chapter 20; after stating, that, "divers numbers of evil disposed persons inhabited in sundry counties, having no respect to their duties to *Almighty God*," &c., had "subtracted, or withheld parts or the whole, of their tithes, under pretence of their tithes being demanded by *lay-persons*," proceeds to enact various punishments for such subtracting, or withholding. Five years afterwards, when the second great Act of plundering the monasteries had taken place, another Act was passed, still more strictly enforcing the yielding of tithes to lay-persons. The accusation against the people was stated thus, in the preamble to this Act: "That the people, not regarding their duties to Almighty God, subtracted and withdrew the lawful and accustomed tithes of corn, hay, pasturage, and other sorts of tithes and oblations, due to the owners, proprietors, and possessors of parsonages, vicarages, and other ecclesiastical places; being the *more encouraged thereto*, for that divers of the owners of the said parsonages, vicarages, tithes, and oblations, *are lay-persons*." Then the Act goes on to give to

these lay-persons all the rights of the clergy as to suing in the ecclesiastical courts, which they could not do without an Act for the purpose.

After the minor plunder of the chantries, of the guilds and fraternities and hospitals, it was necessary to pass another Act (2nd and 3d EDWARD the Sixth, chap. 13,) to enforce these Acts of HENRY the Eighth, and to compel payment of tithes to laymen upon the footing of the clergy, as to the manner of suing for the same.

Here, then, are all these Acts of Parliament, proving, that, in spite of the opposition of the people; that, in spite of their deep sense of the injustice; that, in the face of all the former laws of the country, the Parliament had the rightful power to take away both the predial and personal tithes, and to give them to laymen, and to vest them, as an estate, in laymen.

Now, then, if this were not an act of rapine, if it were a thing that a Parliament could rightfully do, what pretence have you for saying, that this present Parliament cannot rightfully deal with the remainder of the tithes, in any manner that they may think proper? And, if it were an act of rapine, then all the laws relative to the abbey-lands; all the laws relative to the tithes, all the laws relative to this Church Establishment, are to be considered as no laws at all. If you plead, that the Parliament has no right to take away, or alienate, that which is called Church property, you must insist, that no layman has a good title to tithes: but you cannot do this, without, at the same time, denying the validity of those Acts of Parliament, to which, and to which alone, you owe your own right of possession to tithes, to oblations, to any part, or particle, of that which you possess. So that it comes to this,

at last ; that, either all was rapine ; all was directly contrary to the laws of God ; and, therefore, null ; or all your possessions and privileges have their foundation in Acts of Parliament alone, and may, therefore, be all taken away, by the rightful power of the Parliament.

There are some persons who contend, that the Parliament has the rightful power to make *regulations* with regard to the property of the Church ; to make a *new distribution* of it amongst the bishops, deans, parsons, and so forth : but that, though there may be too much property found lodged in certain hands, and though the rightful power of the Parliament to make a more desirable distribution is undoubted ; still that power does not extend so far as to *the taking of it away from the Church altogether* ; and that, if it be taken from parsons, bishops, and so forth, it must be applied to some purposes or other, tending to the upholding, and to the efficiency, of the Established Church ; and the purposes of education are generally named ; which is about as curious a whim as ever entered into the head of mortal man. Why, what is the Established Church FOR ? For what do its clergy swallow up from five to eight millions a year ? If for any thing of public benefit, it must be for the purpose of *instructing the people in religion* ; that is to say, for educating the people in the principles of true religion. Why, then, take the money away from the parsons and give it to somebody else, that they may teach the people ? Besides, if the tithes be taken from the parsons, and their amount given to schoolmasters, there is, in fact, an alienation from the Church. It is, then, a mere matter of expediency ; and the only question is, *would it be good for the people* ; good for the people in general, of

this kingdom, *to take the whole of the property from the clergy, or would it not?* This is the only question to be entertained on the subject by rational men. I am of opinion that it would be good to do it; and, before I have done, I shall clearly and frankly state all my reasons for being of that opinion.

The first question, "HOW CAME THERE TO BE AN ESTABLISHED CHURCH?" I have now answered: I have stated, and clearly shown, the motives for the making of this Church; I have shown the manner in which it was made; I have given a true picture of the character and conduct of the makers of it; I have exhibited to the view of the reader the severities, the cruelties, the ferocious, the more than savage punishments, by which its introduction was enforced; I have, above all things, shown that it originated in Acts of Parliament; that it rests solely on Acts of Parliament for every fragment of possession that it has; and that it, and all that belongs to it, may now be disposed of by the rightful power of the Parliament, in any manner, and for any purpose, that the Parliament may deem to be proper: and now I shall, in the next letter, proceed to show "HOW THERE CAME TO BE PEOPLE CALLED DISSENTERS."

LETTER II.

HOW CAME THERE TO BE PEOPLE CALLED
DISSENTERS?

PARSONS,

AMONGST all the qualities for which the Church, as by law established, is distinguished from every other body of men in the world, the quality of COOL IMPUDENCE stands very conspicuous. A Church-parson always argues with you, or talks with you, as if you admitted, *in limine*, that his church is the only true church of Christ now in the world; or that there ever was in the world; and that all which those who differ from it can pretend to, is a somewhat mitigated degree of error. One would have thought that men who, from being Roman Catholics, had become of TOM CRANMER's religion, and enacted his Prayer Book; who had afterwards enacted that his Prayer Book was schismatical, and had gone upon their knees to receive absolution from the Pope for having made it; who had, after that, re-enacted this same Prayer Book, and had recorded, in an act of Parliament, the absolution that they recently received from the Pope; and had enacted all the circumstances and acts connected with the making of the Prayer Book to have been unlawful and impious: one would have thought that, at any rate, after all this, they would not have had the audacity to set up a title to *infallibility*; and to claim a right to compel all other men to adopt a belief in any thing, be it what it might, which they chose to adopt as their creed;

to call those who would not conform to this their will, by the disrespectful name of **DISSENTERS**; that is to say, *fallers away from the true faith*, and not entitled to the ordinary benefit of the laws; and when it suited the purpose of the Church-makers, as liable to some sort of *punishment*. Yet this is what these Church-makers did; and on these principles they have acted even unto the present day; though now (from causes which we shall, by-and-by, have to state) they begin to discover some misgivings; and to profess to be willing to yield up a portion of their enormous pretensions.

When the Roman Catholic Church had been broken up; when its clergy had been ousted; when its property had been confiscated and scattered; when the faith, which the people in general had lived in for nine hundred years, had been declared to be erroneous; when the worship, which they had practised for that length of time, had been stigmatized as idolatrous and damnable; what rightful power was there, or could there be, on earth, to command the people to adopt any particular *new faith*, or any *new worship*? What rightful power could there be to make a whole nation conform to any rule of faith or of worship, prescribed by any person or set of persons; and, especially, what rightful power could there be in those who had abrogated the Prayer Book after they had made it, and had called it schismatical; what rightful power could they ever have had to bend the necks of the whole nation, and to compel them to adopt a religion; to adopt creeds, and a form of worship, which they themselves had begged pardon of Almighty God for having invented?

This question is monstrous; and so monstrous is the proposition that it embraces, that it is to be

answered only by indignant feelings : no *words* can furnish a suitable answer. The ancient religion of the country having been overturned and put down by law ; by law indeed, aided by the bayonet, every man was left, of course, to choose a religion for himself. Every man had the Bible in his hand ; he had a conscience in his breast ; and it was for him to consider and determine what that Bible taught him to believe, and the sort of worship that it taught him to practise. JESUS CHRIST was no longer upon earth ; the apostles were gone ; that which the nation had so long believed had been founded by them, and by their successors in authority : that was now gone, too ; the distribution of the Church-property ; its application to charitable purposes : this was gone. And, in such a state of things, justice demanded that the people should be left to themselves to choose their mode of worshipping God ; and that the national property called Church-property should be applied to the uses of the nation in general ; and not grasped for the sole use of any particular set of men.

That this was the general way of thinking of the people, at the time, there can be no doubt ; for, CRANMER'S Church was hardly born before there were plenty of people to *protest* against it. To call them *Protestants* would not do ; because that was the name given to those who had protested against the Catholic Church ; and, besides, that was a name designed to be held in honour. There were BAPTISTS ; there were CALVINISTS ; there were great numbers of persons of different opinions, as there naturally would be, in such a state of things. The Prayer Book Church-makers having the property in their hands, and resolved to keep it, proscribed all these conscientious sets of per-

sons under the general name of NON-CONFORMISTS. SECTARIANS, or DISSENTERS ; and they soon found the means of keeping them in a state of the most abject subjection ; though they had not a shadow of rightful power for so doing.

The DISSENTERS, as we must now call those Protestants who refused to subscribe the creeds and articles of the Church, objected to those creeds and to the Church worship, some for one reason and some for another ; but it is a curious fact, that they all agreed most cordially in one objection ; namely, to *the uniting of the spiritual supremacy of the Church with the temporal supremacy of the state* ; they all insisted, and most perseveringly, on this, which they called an “unscriptural union :” such they call it unto this day ; and hence their united demand for a separation of the Church from the state ; and it is truly curious, that, though they were Roman Catholics, the two most learned and most virtuous men of that age, or of almost any age, SIR THOMAS MORE, and BISHOP FISHER, died upon the scaffold, rather than acknowledge the lawfulness of this union of Church and state.

Indeed, if one looks at the thing in a religious point of view, it is perfectly monstrous. In the first place, that a mere lay-person, not having studied divinity ; not having any character of religious teacher about him ; being essentially a soldier ; being essentially a magistrate bearing the sword ; that such a person should be the head of the Church of CHRIST ; have the supremacy over that Church in spiritual matters ; and we having the example of the Apostles before us, as to the government of the Church ; and as to the selecting and appointing of bishops and other spiritual guides : this alone, upon the mere face of it, might have been an

excuse for conscientious men objecting to this establishment. Then, as to the mode of selecting and appointing bishops ; and the practice called the *Congé d'elirè*. Mr. BARON MASERES, who was so many years Cursitor Baron of the Exchequer ; who was descended from a HUGONOT ; who was a very stanch Protestant ; who was also a stanch Churchman, for a great many years of his very long life, and who certainly was as good a man as ever breathed, wrote and published a little book, which he called "*The Moderate Reformer*." In this book he strongly recommended the discontinuance of the practice of the *Congé d'elirè*, that being a thing which he deemed most injurious to the character of the Church.

The *Congé d'elirè* is a *leave to elect* ; that is to say, a leave given by the King, as head of the Church, to the dean and chapter of a diocese, to elect a bishop. When they receive this leave from the King, they meet ; and, after the religious ceremony and invocations suitable to the occasion, the dean, I suppose it is, pulls out of his pocket the name of the man whom the King has given them *leave to elect* ! Now, is there any man of sense and reason in the world who will say that it was just to compel all the people of England to conform to the belief, that this was agreeable to the will of the Author of the Christian religion ?

But, the *headship of the Church* does not in this exhibit any thing like all its objectionable parts : a woman may be the head of the church, as women twice have been in England : a boy, or a little girl ; nay, a baby in arms ; nay, further, one not yet born, supposing the king to die while the queen is pregnant with an heir to the throne, may be the *head of the Church of Christ, in England* ; to say nothing

of the possibility of this *headship* being possessed by persons bereft of their senses !

Here, then, in this one thing, will any man say, that there was not enough to make conscientious men hesitate before they consented to belong to this Church ? Will any one say, that it was right to stigmatize, and to exclude from the ordinary benefits of the law, men who could not bring themselves to bend to this ; will any one say that it was just to inflict penalties on men, because they, with the Gospels and the Epistles in their hands, refused to conform to an establishment like this ? However, stigmatized and punished they were. CRANMER burnt several of them for protesting against his Church ; and as to ELIZABETH, her forty-five years' reign were forty-five years of the most ferocious punishments inflicted on this conscientious part of her subjects. I beg the reader, if he wish to possess a thorough knowledge of the treatment of the persons called Dissenters ; of the treatment, which the forefathers of the present Dissenters received at the hands of the Established Church and its head, to read, if his boiling blood will permit him to read, the act 35th ELIZABETH, chapter 1, entitled "*An Act to Retain the Queen's Majesty's Subjects in their due Obedience,*" which Act begins thus : "For the preventing and avoiding of such great inconveniences and perils as might happen and grow by the wicked and dangerous practices of seditious SECTARIES and disloyal persons, be it enacted, &c." The reader will observe that this had nothing at all to do with the Roman Catholics, for the scourging, and racking, and ripping up of whom the Church-makers had other Acts of Parliament. This Act was purely against *Protestant Dissenters* ; or, as the Act calls them, NON-CONFORMISTS ; that is to

say, that conscientious part of the people who would not conform to that Prayer Book Church, which, by the authors of it themselves, had been called "*Schismatical* and wicked," and for having made which they had supplicated the Pope to give them absolution.

At this time the Dissenters were very numerous, as they naturally would be. There were already laws to exclude them from all emoluments of office; from the benefits of the Universities; and to compel them to pay tithes, church-rates, and oblations and dues, to the clergy of the Church: there were already laws to *imprison them for life*, and to cause thousands upon thousands to *die* in prison under this persecution; however, they *still increased*; and this Act was intended totally to put them down; or to expel them from the country of their birth, or to kill them. But there was a difficulty in discovering *who were* and *who were not* Dissenters. Divers schemes were resorted to for this purpose; but, at last, the Church-makers fell upon the scheme contained in this Act, which was simply this: to *compel all the people to go to the churches*, regularly, and there to join in the performance of Divine service, and in the use of the *Common Prayer*. All persons, of whatever rank or degree, above the age of sixteen years, who refused to go to some church or chapel, or place of common prayer; or who persuaded any other person not to go; or who should be at any conventicle, or meeting, under colour or pretence of any exercise of any religion other than that ordered by the state; then every such person was to be committed to prison, there to remain until he should be ordered to come to some church or usual place of common Prayer, and there to make an open *submission* and *declaration*

of his conformity, in these following words. "I, A B, do humbly confess and acknowledge that I have grievously offended God, in contemning her Majesty's lawful government and authority, by absenting myself from Church, and in using unlawful conventicles and assemblies, under pretence and colour of exercise of religion; and I am heartily sorry for the same; and I do acknowledge and testify in my conscience that no person hath, or ought to have, any power or authority over her Majesty; and I do promise that I will, from time to time, repair to the church and hear divine service, and do my utmost endeavour to defend and maintain the same."

Now, what was the punishment, in case of disobedience here? The offender was to "abjure the realm;" that is to say, was to *banish himself for life*; and, if he failed to do this; if he did not get out of the kingdom in the course of such time as should be appointed by the authority of the queen; or, if he returned into the kingdom, without her leave, such person so offending "was to be adjudged a felon, and was to suffer, as in cases of felony, without benefit of clergy;" that is to say, suffer the sentence due to arson or murder; to be hanged by the neck till he was dead!

Gentle Church! Mild Church! Sweet Christian Church; most "amiable establishment!" This was the way that you went to work to convert the people to your doctrines, and to induce them to attend your worship. "This was a *great while ago*." Yes, it was a great while ago; but it is very necessary for us of this day to know that it was; and that this Act continued in force; in full and unmitigated force, until the first year of WILLIAM and MARY, when it was only a little mitigated; the Church always sticking firmly to this law. This was a law

which said to all the people ; " Come and hear our Prayer Book read, the amiable history of which you know so well ; come in person, and declare your belief in our creeds, and join in the repeating of our Prayer Book ; which was made by Act of Parliament, abrogated as schismatical by another Act of Parliament, and then made by Act of Parliament again : come and openly profess your sincere belief in all this ; or, be banished for life ; or, be hanged by the neck till you be dead ! "

What a strange thing that the Dissenters should be so perverse, as to bear something like animosity towards this " amiable establishment," which you parsons tell us has always been " the *most tolerant* Church that ever was heard of in the world." One cannot help laughing : one's horror is so great, that it ends at last in ridicule at the monstrousness of this thing, continuing in full force, too, through the rest of the reign of this horrible woman ; through that of JAMES the First ; CHARLES the First ; CHARLES the Second ; and never attempted to be mitigated, until JAMES the Second made the attempt, and which attempt was the real cause of the loss of the throne to him and his family for ever.

Parsons, you always talk of this Church, as if it had been established by the *common consent of the people* ; as if it had arisen out of their will ; and had been their work, and not the work of the aristocracy ; and you always represent the Dissenters as *unreasonable* and *perverse* in withdrawing from it, or not joining it : you always speak of the makers of this Church as zealous and pious men, acting in conformity to the will of the people. You forget to tell us, that, even in its very dawn ; that the very introduction of the Common Prayer Book into the Churches, even at the very first stripping of the

altars, and the priests of their vestments ; you forget to tell us, that the people complained and remonstrated all over the kingdom ; that they demanded the return of their ancient religion ; that they complained, that they had been reduced to the state of pack-horses, while the nobility and gentry were wallowing in newly acquired wealth. Those who have read my History of the Protestant Reformation know all this to be true ; they know that the people rose in insurrection in several parts of England ; and that they were brought into the bosom of the Prayer-Book Church, in the reign of EDWARD, by pious exhortations, no doubt, but with the aid of *good well-tempered German bayonets* ; as you will see in Protestant Reformation, paragraph 212.

You never tell us of the famous ecclesiastical Commission, established in the reign of ELIZABETH ; in virtue of the very first Act of her reign, clauses 17, 18, and 19 ; in virtue of the authority given her by this Act, 1 ELIZABETH, chapter 1, she appointed a Commission, consisting of certain *bishops* and others, whose power extended over the whole kingdom, and over all ranks and degrees of people. They were empowered to have an absolute control *over the opinions* of all men, and, merely at their *own discretion*, to inflict any punishment, short of death, on any person whatsoever. If they chose, they might proceed legally, in the obtaining of evidence against parties ; but, if they chose, they might employ *imprisonment*, the *rack*, or *torture*, of any sort, for this purpose. If their suspicions alighted upon any man, no matter respecting what, and they had no evidence, nor even any hearsay against him, they might administer an *oath*, called *ex-officio*, to him, by which he was bound, if called upon, to re-

veal his thoughts, and to accuse himself, his friend, his brother, his father, *upon pain of death!* These monsters inflicted what fines they pleased; they imprisoned men for any length of time that they pleased; they put forth whatever *new articles of faith* they pleased; and, in short, they had an absolute control over the bodies and the minds of the whole of the people; and, observe, this act remained in force until the 16th year of CHARLES the First, when it was repealed by chapter 11 of that year.

Parsons, perhaps you will tell us, that *your Church* had nothing to do with this; that this was the work of *the queen*. She was the *head* of your Church, at any rate; but, observe, the Commission was composed of *Bishops*, chiefly: bishops of the Prayer-Book Church were at the head of this Commission.

The Commission was for the purpose, and for the sole purpose, of punishing people for not conforming to the Church; and, are we to be made to believe, that the Church did *not approve* of this Commission; especially, when we never heard of such a thing as any Bishop, or any one belonging to the Church, protesting against the use of these horrible means of sustaining it?

In like manner you wash your hands of all the savage butcheries of this reign, during which more Englishmen were slaughtered in one year for offences, made such by Act of Parliament, for the sole purpose of upholding this Church, than were put to death for all offences whatsoever, during the whole of the reign of the "*Bloody Queen MARY*;" more slaughtered in one year, for offences made by Acts of Parliament to support this Church, than were slaughtered, even in the massacre of St. BARTHOLOMEW, if we include the deaths in prison, and the

deaths occasioned by banishment. The historian, STRYPE, (he was a *Protestant*,) tells us, that the queen executed more than five hundred criminals in one year, and was so little satisfied with that number, that she threatened to send private persons to see her laws executed, for "*profit and gain's sake.*"

It is impossible to look at the origin and the progress of this Church without believing that it caused greater cruelties to be inflicted; a greater mass of human suffering to be endured than ever was occasioned by any religious establishment in the world. There have been *religious wars*, there have been *crusades*, but these have been *wars*. These have been *fights* of one nation, or part of a nation, against another; that is quite another matter: it is army against army; it is not the cold-blooded operations of law; and I am satisfied that the history of the world furnishes no instance of so much human suffering inflicted in cold blood, as was inflicted for the establishment and the upholding of this Church, which nevertheless has the cool impudence to call itself "*the most tolerant Church in the world.*"

Perverse creatures, then, these DISSENTERS must be, to feel any thing like a prejudice against this "*amiable establishment!*" Monstrous impudence; impudence so great, that one cannot find words to express suitable indignation against it; monstrous impudence to pretend, that it is granting a *favour* to Dissenters, to suffer them to be placed upon a level with those who belong to, or pretend to belong to, this Church! Monstrous impudence, to pretend that they have not as great a right to all the ecclesiastical possessions, of every sort, as you, the parsons, have! For my part I hear them with contempt when they come crawling for what they call

a "*redress of their grievances.*" Why, the domination of the Church is a grievance altogether. We are all grieved alike by its existence. It ought never to have been such as it has been. But of these matters I shall speak more fully in my next letter; having here answered the question, "How THERE CAME TO BE PEOPLE CALLED DISSENTERS;" having given an account of their rise, their progress, and of the horrible attempts made to extirpate them, by this Church, as by law established; for again and again I protest against the idea, that these horrible laws and ferocious cruelties were committed against the will, or without the concurrence of the Church. The atrocious act of ELIZABETH (35th of her reign, chapter 1) could not have been passed without the concurrence of the bishops and the clergy; they were to be the executors of the law, or to see the law executed; they were to receive the submission and declaration of conformity; the *minister of the parish* was to make a *record* of the submission, and he was to make a report of it to *the bishop*; so that here it was a church affair altogether. Therefore we are not to be shuffled off with the pretence that it was a mere act of the secular power of the State.

Indeed (and this is what we never ought to lose sight of,) we always find the clergy of the Church working busily in all these things; we so find them from the days of CRANMER down to the late French war; aye, and down to the days of SIDMOUTH and CASTLEREAGH. At this moment, indeed, they seem to have become more "tolerant;" they seem to begin to perceive that at last they must give way. Still their partizans cling to their pretended rights; and therefore it is necessary that we look well into those rights; and it will be prudent in the Dissenters

not to express their content with any change short of a complete putting an end to the abuse, from the top to the bottom. We shall see enough of *the present state* of this Church in a subsequent letter; we shall see in what degree it can possibly be a *religious instructor*; above all things we shall see who it is that now pockets its revenues; we shall see how those revenues are employed for the "*cure of souls*:" and when we have seen these clearly, I trust there will be found spirit and sense enough left in this nation to insist upon complete redress of this mighty grievance; for if this redress be not had, to have reformed the Parliament will have been a gross deception; a mere contrivance to amuse the people with vain hopes never to be realized; and in fact to prevent a redress of this, as well as of every other wrong, of which the industrious millions of this oppressed and impoverished people so loudly and so justly complain.

LETTER III.

WHAT IS THE FOUNDATION OF THE DOMINATION OF
THE CHURCH OVER THE DISSENTERS?

PARSONS,

I know you will say, "the law gives us this domination." I know it does; and, for that very reason, I want the law altered; I want the law repealed that gives this domination to you; and, with that object in view, I ask "what is the *foundation*" of the present law?

Rightful domination, or mastership, has these foundations, or one of them; the immediate *gift of God*; *conquest*; *hereditary property*; *purchase*;

paternal authority. Neither of these foundations has your audacious domination to rest on. Your pretence of being the *prescriptive successors* of the Roman Catholic Clergy would subject you to *their duties and laws*, as well as give you their possessions. These would compel you to keep the poor; to feed the stranger; to harbour the houseless; to abstain from marriage and all carnal intercourse; and, would shut out all BASTARDS from being ministers of Christ! BLACKSTONE (Book I. c. 16.) "A BASTARD was incapable of *Holy Orders*; and though that were dispensed with, yet he was *utterly disqualified for holding any DIGNITY* in the Church: but, this doctrine *seems now obsolete.*" That is to say, it is *out of fashion*! Oh! it "*seems,*" does it. Faith, it a little more than seems; and this, I trust, we shall ascertain, by having the names of the parties before us, before we have done with the bastardy clauses of the Poor-law Bill. It a little more than "*seems*;" though there is *no law* for this departure from the ancient law, which, you will observe, was, and still is, the law of the land, independent of all Acts of Parliament.

But, as to this right of domination. Suppose it had been just to suppress the Roman Catholic Church; suppose, also, that it had been just to take away a large part of its property, and give it to the aristocracy; suppose that it had been just to oust and extirpate the Catholic priests; suppose that it had been just to do all these things, upon the ground of the Catholic religion being idolatrous and damnable. Admit all this for argument sake; still what ground was there for erecting another Church, by law, and compelling *all Protestants* to submit to that new Church? The pretence for suppressing the ancient Church, be it what it might, furnish

ed no ground for compelling *Protestants* to submit to another Church. The ancient religion having been declared to be bad, and having been stripped of all its possessions, every man was free to choose a mode of worship for himself; and to pay his own priest, if he chose to have a priest. There was no rightful power any where to have control *over the consciences* of men: and it was tyranny; the most hateful tyranny, to attempt to exercise such control.

Still, however, if a decided *majority of the people* had been for the establishment of this new Church; then, as questions, in such cases, must be decided by the majority of voices, the present Church might plead something like a *legitimate origin*; and, indeed, her partizans contend that *she had this decided majority* of the people with her. WHITAKER, in his book exposing the murderous character of ELIZABETH, observes, that she had had given to her, very unjustly, the character of *maker of the Protestant established Church*; "that Church," says he, "arose out of the *piety, the good sense, and the common consent* of the people of England." WHITAKER, who took up the cause of MARY Queen of Scots, was a most zealous churchman, nevertheless; and was as unjust towards the Catholics and the Dissenters, as he was just in the case of these two queens. There is no way of effectually closing up the mouth of these self-called historians, but by going to THE STATUTE BOOK; and now let us hear what the Statute Book says upon this subject. We have seen in the preceding letters, that the Prayer Book was enacted in the year 1548. In the year 1552 (5 and 6 EDWARD the Sixth, chap. 1) there required an Act of Parliament, to *compel people* to go to the churches to hear this

Prayer-Book. The preamble to this Act sets forth, "that great numbers of people in divers parts of the realm do wilfully and *damnably abstain and refuse to come* to their parish churches." Then the act proceeds to order all and every person inhabiting within the realm to come to the churches to assist at the prayer, and to hear the preaching; it next charges *the bishops* and others to endeavour to their utmost to get the people to their churches, and to *punish* the refractory by all the *censures* and *powers of punishment* which they possessed; it concludes by inflicting penalties on all those who should attend or assist at the performance of any *other sort of worship*, whether Catholic or Protestant; for the first offence, six month's imprisonment; for the second offence, imprisonment for a year; for the third offence, *imprisonment for life!*

This severity brought Dissenters to the Churches, and into the church-yards. In those churches and church-yards, they disputed about religion. Some disliked the new Church for one cause; some for another; and, therefore, an Act was passed, in the same year (5 and 6 EDWARD the Sixth, chapter 4,) entitled "*Against quarrelling and fighting in churches and church-yards.*" The preamble sets forth: "Forasmuch as of late, divers and many outrageous and barbarous behaviours and acts have been used and committed by divers *ungodly* and *irreligious* persons, by *quarrelling, brawling, fraying, and fighting*, in churches and church-yards." Then on goes the Act, delivering over to the *spiritual* authority all the offenders. If one laid violent hands on another, or smote another, sentence of excommunication, with all its consequences, was to be passed upon the offender. If any one smote another with a *weapon*, or drew a weapon to smite

him with, he was to *have one of his ears cut off*; and now mark, Parsons: if the offender *had no ears*, then he was to be burnt in the cheek with the letter F, signifying *fray-maker*, or *fighter*; and was to be excommunicated besides. This Act remains, in great part, in force to this very day; and under it hundreds of persons have been, within my recollection, imprisoned and ruined; and let the people of this insulted country now remember, and well remember, that they owe this barbarous law solely to the establishment of this Church.

When MARY came to the throne after this boy-king, these Acts were swept away. The Prayer-book Church was gone, and there needed no more cutting off of ears, or burnings in the cheek. But, can we proceed any farther, without expressing our horror, that England should have been reduced to such a state, that it was necessary to provide, in an Act of Parliament, for the contingency of offenders *having no ears to be cut off*! What effect the new Church had had upon their consciences and morals we may guess, when it had had such an astonishing effect upon their ears! In short, it was a continual fight; not with the Catholics, but amongst Protestants of different descriptions, from the hour that the Prayer-book Act was passed, until MARY came to the throne, and swept away all these Acts, and restored the Catholic religion. Then, if all was not harmony; and all could not be harmony, after what had passed; still, however, there required no Acts of Parliament to compel the people to go to Church; there required neither death, nor imprisonment, nor banishment, nor any thing else, to effect this purpose. She wished to make all her subjects Roman Catholics; she wished all her subjects to attend mass; but she left it to themselves,

as far as related to their personal attendance at worship; she did not *compel* them to be guilty of what they deemed *blasphemy*.

Will it be said, that this contest amongst the Protestants was but of *short duration*; that it was, in the heat of disputation, natural enough upon such a change; but that the people all became *very soon* of one mind; and that, therefore, the brawlings and fightings are not to be looked upon as any thing serious as to the character of this new Church. Now, observe; the bloody Act of ELIZABETH, giving the people a choice of three things, conformity; that is, coming to church, making public confession of belief and adhesion to the new religion, promising not to profess any other religion, or attend at any other place of worship, and of having this submission recorded in a book, by the parson of the parish: this was one of the things that they had to choose amongst. Not being able to bring their consciences to bend to this, they were to abjure the realm, and banish themselves for life. Not being able to bring themselves to leave behind them, for ever, wives, children, parents, brethren, and all that they held dear in the world, there remained to them, *to be hanged by the neck till they were dead*; and, observe, this Act applied purely and *expressly to Protestant Dissenters*; and that, by the 12th clause of the Act (35 ELIZABETH, chapter 1,) Roman Catholics were *excepted* from the provisions of the Act, there being other acts for them of a still more horrible description.

And now the most material observation of all, with regard to this point, remains to be made; and that is this, that this Act was passed *at the end of forty-one years* of attempts to enforce this Protestant Established Church. EDWARD had had six

years' attempt at it, with all his horrible punishments; and now this she-tyrant, the most cruel that ever existed in the world, had to pass this Act, at the end of thirty-five years of her merciless doings; so that, after forty-one years of punishments of all sorts; after thousands had *died in prison*; of privations, exclusions, fines, amercements, disqualifications as to property, trades, and professions; at the end of forty-one years of this horrid work, it required banishment for life, or hanging on the gallows, to compel the Protestants of England to bring their bodies within the walls of the places where this worship of the Established Church was performed! What plea have you then, Parsons; what ground have you for asserting; what had WHITAKER to bear him out in the allegation, that this Church arose out of the *common consent*; out of the movements of the consciences; out of the zeal and the piety of the people; and that the Church was established by the love of the people for it; and not by the acts of any king or queen, or those of their Parliaments? Let it be observed, that this Act; that this banishing-and-hanging Act, continued in full force, as to all the main parts of its provisions, until it was altered by the Act 1st of WILLIAM and MARY, session 1, chapter 18; and that it is very far from being swept clean away even unto this hour.

The repeal of the TEST and CORPORATION Acts, which took place in 1828, and which Acts were passed in the reign of CHARLES the Second, the Act 25 CHARLES the Second, chapter 2; and the Act 13 CHARLES Second, statute 2, chapter 1, excluded from all offices in corporations, and from all offices of trust and emolument under the Crown, all persons who should not *receive the*

sacrament according to the rites and ceremonies of the Established Church, within one year next before their election in such corporations, or their appointment to such offices. Now, will you have the audacity to pretend that *the Church* was not the *instigator* to the passing of these Acts of Parliament? Every one must see that it tended to keep all powers and all emoluments of the whole country in the hands of the aristocracy, of whom, indeed, the Church is, in fact, the property. Was it from *piety*; from motives of *pure religion*; from a desire to *save the souls* of men, that this compulsion to take the sacrament, in this particular manner, was imposed; and is it not manifest that it was imposed for the purposes of exclusion? The Corporation Act, as it is usually called, is entitled, "An Act for the *well-governing* and regulating of Corporations;" and the preamble states, that many evil spirits were working, and that it was necessary to perpetuate corporations in the hands of persons well affected to his Majesty and the established government; then the Act proceeds to enact, amongst other things, that no man shall have a post in a corporation unless he receive the sacrament according to the rites and ceremonies of the Church of England. The Test Act (25th Charles the Second, chapter 2) is entitled "An Act to prevent dangers that may happen from *Popish recusants*;" but, before it has done, it includes Dissenters; for it makes it necessary for *any* person holding *any* office, *civil* or *military*, or receiving any pay, salary, fee, or wages, or shall be in any place of command, or of trust, from, or under, the King, or by authority derived from him, or shall be in the navy, or in the islands of JERSEY and GUERNSEY, and who shall not receive the sacrament of the Lord's sup-

per, according to the usage of the Church of England, shall lose his said post or employment; and that, in future, no man shall have any such post, unless he bring from some *bishop, priest*, or other ecclesiastic, a certificate that he has received the said sacrament in manner aforesaid. These Acts remained in force, as I observed before, until they were repealed, upon the motion of Lord JOHN RUSSELL, in the year 1828; which Act was cried up as *a redressing of all the wrongs of the Dissenters*; of which I will say more presently.

But, upon what ground were these Acts repealed? Why, upon the ground that they were *unjust*; upon the ground that they inflicted great *wrongs*; upon the ground that they were passed against *common right*. Upon no other ground could the repeal have taken place. There was no expediency now that had not always existed. But what did this repeal do for the Dissenters in general? The persons who were candidates for offices in corporations, and in employments under the king; the Dissenters of this description were very few in number, compared with the millions of Dissenters. Yet this repeal was represented to be *all* that the Dissenters ever could ask for! The very repeal of the Acts acknowledged them to have been wrongful; yet, what were these Acts, which merely shut men out from public employments, compared with the bloody Acts which we have before seen, by which the Church was introduced and upheld by the ruin or the killing of the people who dissented from it?

However, this repeal left all the great and substantial grievances remaining. It left the Dissenters just where they were before, with regard to these grievances; it left them to have their *marriages* solemnized by the Established Church, or to be

without the quality of legality ; it compelled them to have recourse to the Church, in order to secure legal proof of their *births* and their *deaths* ; it shut them out of the *Universities* ; but, above all things, it left them that grievance of all grievances ; that flagrant and intolerant injustice, of rendering *tithes* and *oblations*, of paying *rates* and *dues*, to support a clergy and an establishment, which, from the beginning, their forefathers had conscientiously dissented from ; and from which they still dissented, more strongly than ever, if possible, with regard, as well to its doctrines, as to its ritual and its discipline ; and the whole of which they will now learn from the Statute-Book were declared, by the very authors of them (1 MARY, 2d session, chapter 2) to be *schismatical* ; and were, by them, swept away accordingly !

If the Test and Corporation Acts were wrongful ; and they were so ; and it was right and just to repeal them ; why not repeal all the other grievances ? by what law of God ; by what possible interpretation of any part of the Holy Scriptures ; by what plea of prescription ; by what reason, or operation of common sense, does this church claim a right to bring Dissenters before it to solemnize their marriages, according to a written service which never had their sanction ? An expedient has now been fallen upon to redress, as it is called, this grievance. Marriages are to be contracted, it seems, now, *before the civil magistrate* ; but still the Church keeps its hand upon them, according to the intention, which has been stated in the Parliament. *The parson is to record* them in his *Church-Book*. with the sum of five shillings to accompany each record. To be sure, this is taking out a great screw : this is rubbing out the dogma of the Church, that

marriage is essentially *a religious act*; and few people, I suppose, if this Act pass, will think it necessary to go to the Church to be married; for as to the declaration, that the parties *do not belong to the Church*, what is the meaning of those words? What is *belonging* to the Church; or being a *member* of the Church? Who does *belong* to the Church? All those who are baptized in the Church? It is notorious that nine tenths of the present Dissenters were so baptized. If *belonging* to the Church means having *communicated* in the Church; having been confirmed by the bishops, and admitted to partake the communion, then I venture to say, that not one man in England out of *one thousand* belongs to the Church. However, though this is a giving way, it is a little movement after the manner of the hunted beaver, and it seems to illustrate the nature of all the rest of the grievances. If the law that compelled Dissenters to marry in the Church were just; if it were a law for the good of the people; why not persevere in it? And, if it were an unjust law, in what does it differ, I pray, from the laws inflicting the rest of the grievances?

What right, I should be glad to know, have the people of a particular faith or worship to compel all the rest (probably four times their number) to be buried with a ceremony which they disliked while alive; or else to be excluded from the church-yards, which are the common property of all the people; what right have they to prevent the bodies of Dissenters being brought into the church-yard with the performance of their own ceremony? What right has this corporation called the Church to arrogate to itself the right of excluding children from registry of birth, unless their parents subject them to a mode of baptism, against which they in

their consciences protest? And with regard to the Universities, here is an immense mass of power and of property, civil and political privileges endless, emoluments arising from sources innumerable, honours and distinctions without end, besides immense *landed estates*. And why are Dissenters to be excluded from any of these? Is the ground of exclusion that they do not embrace that Prayer-Book, which those who enacted it called by Act of Parliament *schismatical*, and which they afterwards re-enacted and forced upon the people, on pain of banishment for life, or hanging on the gallows? Is this the ground that they set up for excluding *other Protestants* from sharing in these estates, which were taken from the Catholics? The miserable dispute about the Dissenters not being suffered to TAKE DEGREES in the Universities without first embracing the common Prayer and the act-of-parliament articles of religion: the miserable dispute about this matter, the only alleged evil of which was, to retard, by three years, the progress of a Dissenter to the bar, or to the corporation of physicians and surgeons; which could not affect one Dissenter out of one hundred thousand, and which affected ninety-nine out of every hundred of Church-Protestants who were going to the bar, or to medicine or surgery: this dispute always appeared to me to be most contemptible; and to be greatly mischievous too; because it seemed to imply that, as far as related to the Universities, this was ALL that the Dissenters had to complain of. This has, it seems, been smoothed over by the *benchers* and the *College of Physicians* agreeing to admit the aspirant Dissenters in the same manner as if they had taken degrees; and this too, observe, to the manifest injury of all the candidates for these

professions who have not been to pay money to the parsons of the Universities.

What the Dissenters have a right to, in this case, is, promotion in the Universities according to their learning, rank and station there, according to their virtues and their talents; both of which they possess in a degree tenfold greater than the present possessors; but above all things they have a rightful claim to a full share of the estates possessed by those bodies. The foundations, the endowments, were taken from the Catholics. If it be right that *Protestants* alone should possess them, they belong to *all the Protestants*; and what right can there be other than the right of the strongest, to give the whole to one description of Protestants and to exclude all the rest from any share? They are excluded because they are *Dissenters*. Dissenters *from what*? All Protestants are Dissenters from the Roman Catholic Church; and why are Dissenters of one sort to be preferred before those of another? Except, indeed, that those who are now called Dissenters have never attempted to fill their churches by laws to inflict banishment, or death, on those who refused to attend?

The Universities, including the great schools, such as that at WINCHESTER, WESTMINSTER, ETON, and some others, were founded, after the introduction of the Christian religion, for the purpose of teaching those, and the children of those who had not the means of obtaining teaching at their own expense, which is clearly proved by the statutes of these Universities. The fellows, or body of proprietors of the estates, were obliged to *swear* that they had *no income of their own above a certain small amount*: and indeed the great intention of all these establishments was, not to give learn-

ing to the sons of *the rich*, but to the sons of the poor, who are now, except by the merest accident in the world, as completely excluded from them as are the hares and the pheasants, which, whenever they come there, come only to be eaten. These are now become great masses of property, possessed and enjoyed exclusively by the aristocracy and their dependants; and indeed such is the whole of the property of the Church. To come snivelling, therefore, and petition for *liberty to take degrees* in the Universities, without subscribing articles of religion in which the parties do not believe; to come praying to be permitted to take those degrees without a false oath, is a thing so despicable that no man of sincerity will give it his countenance: besides which it clearly implies an approval of, or at least an *acquiescence* in, the *just domination* of the Church with regard to all the immense masses of property belonging to these Universities.

All these exclusions, however, great as the injuriousness of them is, unjust as they are towards the great body of the people, and degrading as they are in their tendency, are, all put together, a mere trifle compared with the compulsion upon the Dissenters to give the *fruits of their estates* and the *fruits of their earnings*, for the purpose of supporting the established clergy and Church. Is there any thing that can be conceived more hostile to natural justice, than for men to be compelled to take away from the means of supporting their families a considerable part of the fruit of their labour, and to give it to men for preaching a doctrine in which they do not believe, and for performing a service in which their consciences forbid them to join? If there be any thing more hostile to natural justice than this, I should like to have it pointed out to

me. To be sure they are no longer compelled, on pain of banishment, or death, to go into the churches and call God to witness that they reverence that which they abhor; but they are compelled to give *their money* or *their goods* in support of it; and this indeed was all that the banishment and the hanging were intended to insure. If the church-makers of EDWARD and ELIZABETH could have obtained *security for getting the money* of the Dissenters, as quietly as it is now got, they would never have had any Acts of Parliament to compel them to go to church; they would have been as "*liberal*" as our present parsons now are; the flocks might have roamed where they had liked, as they do now, the shepherds having taken care to *secure the fleece*.

The two great grievances of Dissenters are, the CHURCH-RATES and the TITHES. There are schemes for *quieting* them as to the former; but *what schemes* are these? None of us ought to pay any *church-rates*. The churches were kept in repair out of the clerical revenues of the parish. A third part of the *tithes* was allotted to the support of the *edifice of the church* and to the furnishing of the altar; and if the present clergy have the *tithes* by *right of prescription*, does not this *duty* come down to them too, in the same way? However, this pretended prescription is all nonsense. We know that the parsons and the aristocracy have the *tithes*; we know, that out of those tithes they ought to keep up the churches; but we also know, that they raise the means of doing this by an annual tax on the land and the houses of *all persons*, Dissenters as well as others.

This is so manifestly unjust towards the Dissenters, who build and maintain places of worship for

themselves, *at their own cost*, that it is a grievance of which they loudly complain; and, at last, schemes of *redress* have been proposed. To *excuse* a man from this annual tax, upon the ground of *his being a Dissenter*, would be to put an end to the tax, at once; for there is no test, or law, by which a Dissenter is known; and every man would declare himself a Dissenter, the moment he was asked for the tax. The scheme of Lord ALTHORP was, to abolish the tax entirely; and to pay the church-rates out of *the consolidated fund*; and some scheme of this sort still appears to be entertained. A beautiful scheme this would be; a most delightful redress of a grievance! The tax would then fall upon the Dissenters far more heavily than it does now; for nine tenths of the taxes, which make up the consolidated fund, are paid by the *industrious* classes. The dissenters compose a great part of those industrious classes; the tax now falls principally upon the owners and occupiers of land, who would thus, according to the course which they have been pursuing for three hundred years, and which is so very conspicuous in the monstrous partiality in the stamp duties, shift the burthen from their own shoulders, and throw it upon the shoulders of industry; and the common day-labouring man, or the artizan, if frequenting the Church, who is now shut out to sit in the aisles of that church, while the rich are seated in the pews, would have to pay church-rates, in the enormous taxes which he pays on all the necessaries of life. This monstrous scheme was, therefore, rejected by the Dissenters, as well it might: and there is no other mode of redress of this grievance, except that of compelling the *owners of the tithes* to keep the churches in repair; and this, by the *Canon Law*;

that is to say, the laws of the church, which laws they avail themselves of upon all occasions, the tithe-owners are compelled to do unto this day. But this law is become "*obsolete*," I suppose, as all the rest of the laws are, which impose *duties* on the tithe-owners of this Church; and "*obsolete*" they will remain, until the people shall choose a parliament, such as, I am afraid, we have very little hope of seeing at present.

But the *tithes themselves* are the *great grievance*, after all. We have seen how this Church and the aristocracy came in possession of them; we have seen that neither has any right of prescription to plead; we have seen the Acts of Parliament by which they appropriated them; and have seen that the Dissenters never acknowledged the justice or the right of appropriation; but were compelled to render them by Acts of Parliament, which exposed them to banishment, or death, in case of refusal to yield them.

Upon what ground is it, then, that Dissenters, at any rate, are still called upon to render tithes? Upon the ground of Acts of Parliament, I know very well; but this present Parliament has the power to pass Acts also; and, therefore, it is a mere question of justice and of expediency which we have to discuss. If it be unjust to make Dissenters pay church-rates, the injustice is much greater, because the burden is much greater, to make them pay tithes. It would be perfectly just in the Parliament to abolish tithes altogether; and this will be done, in some way or other, before it be long; but with regard to Dissenters, it is so manifestly unjust to compel them to render tithes, that the thought is not to be entertained without some degree of horror. Yet they are so compelled; and to pay personal

tithes, too, such as *Easter-offerings*. Many Persons, having refused to pay *oblations*, *obventions*, and *offerings*, have been imprisoned for great lengths of time, and are so imprisoned unto this day. It is only about two years, since one parson sitting as a magistrate, imprisoned a man in Yorkshire for not paying tithes on the amount of his *labour*; that is to say, paying tithe on his *weekly and yearly wages*, as a labourer! So that this is no empty sound: it is a reality; it arises out of Acts of Parliament by which this new Church was made (Statute 2 and 3 EDWARD the Sixth, chapter 13.)

Monstrous as this is with regard to the people in general, how much more monstrous is it with regard to Dissenters! At last, however, this great and barefaced abuse of tithes is become a subject of complaint so general, so loud, and so menacing, that the owners of them see that it is impossible for them to hold them long under their *present name and form*. We shall by-and-by see, in a future letter, into whose pockets they go; we shall see quite enough instances of half a dozen benefices in the hands of one man; we shall by-and-by see whether they be applied for the purpose of "*giving religious instruction*;" but, in the mean while, the aristocracy and their parsons perceive, that they cannot much longer retain the exclusive possession of this immense mass of wealth, unless they can, somehow or other, retain it under a name and form other than those which it now bears, and under which name and form the thing has become so odious to the people, and so detested by them. Therefore, a scheme is on foot to make, by Act of Parliament, what is termed a "**COMMUTATION** of tithes." A commutation means a changing of one thing for another; and this scheme is, to abolish

the tithes, and to impose a money-payment in their stead.

How this is to be done, in any manner whatever, it is very difficult to imagine ; but one thing is certain, that, if the Parliament have the rightful power to do this, it has the rightful power to abolish the tithes, without substituting any money-payment in their stead : that much is certain ; and that is what will be done at last, in spite of all the efforts of the aristocracy and the clergy to prevent it.

Who is to ascertain what the tithes of a farm will be worth, for any number of years to come ? What rightful power can any Parliament have to make a man so use his farm as to make the tithes of it always of the present value ? What rightful power can a Parliament have to compel a man not to lay his ground down into pasture ? What rightful power to compel him to pay the same sum in tithes, whether he have crop or no crop ? What rightful power to change a claim on the *increase* ; recoverable by one class of laws, into a claim on the *soil itself*, recoverable by another class of laws ? Talk of the sacredness of property, indeed ! What property has any man, even in an estate descended from his ancestors for hundreds of years, if the Parliament have the power to load it with a *rent-charge*, instead of the yielding of a portion of the increase, arising out of the land ; and that, too, dependent for its amount on his own mode of cultivation, and on the seasons ? Talk of the sacredness of property, indeed ; and at the same time allow that the Parliament has the power to impose a rent-charge on every inch of land in the kingdom ; to give the aristocratical tithe-owners and the parsons a *lien in fee* on every man's estate, however large or small, and subject him to the chances of having his land

seized and sold, away from heirs as well as present possessors, by the parson or tithe-owner! Bad enough to compel men to yield a tenth of the increase; but a great deal worse to make them acknowledge a perpetual rent-charge, to the amount of a fourth or fifth part of the estate; yet this is what is meant by a "*commutation of tithes.*"

It will be curious, however, to see what is to become of the *personal* tithes: what is to become of the *oblations*, *obventions*, and *offerings*; what is to become of the tithes payable on a man's labour, or on the existence of his body! Are these to be *commuted*, too; and is a man to contract for giving a parson so much a year for being alive, and so much a year for the fruit of his labour? In the case of tithes on mills, is the mill still to pay the rent-charge, though burnt to the ground, or swept away by the floods? How are you to commute the tithes on market-tolls? How commute the tithes of the cottage-gardens, and of the apples in their little orchards, and of their geese, and the eggs of their hens? How commute the tithes of a dairy-farm, when the farm may cease to be a dairy-farm any day? Here are all these absurdities to encounter; new and hitherto unperceived discontents to contend against; innumerable acts of injustice unavoidable; whole estates actually made over to the tithe owners in cases of hop-gardens and orchards, especially the former. In short, the confusion, the inevitable outrageous injustice, produced by this, is not to be described by the pen or tongue of man.

And, if it were possible, which it is not, to make Church-people submit quietly to it, would the DISSENTERS be such fools as to give their consent to a measure, which would render this monstrous tax, and, to them, badge of degrading servitude, perma-

nent as the land itself? Their industry, their great proficiency in the sciences, their exemplary sobriety, their perseverance in business, their great probity as to all pecuniary matters, and matters of trade : these have given them the possession, the rightful and well-merited possession, of a very considerable part of the property of this whole kingdom ; and at these possessions they have come, in spite of two hundred years of persecution ; two hundred years of the contrivances of this established Church ; two hundred years of exclusions, privations, degradations, and bodily punishments, as well as ruinous pecuniary punishments. Struggling along for two hundred years, against all the powers of the state to depress them ; amidst the terrors of ecclesiastical censures ; of bonds, of stripes, of banishment, of death ; amidst all these, they have struggled along to their present possessions. If they do not merit their possessions, in this whole world there is nobody that does.

And, if this “Commutation of Tithes” were to take place ; this perpetual rent-charge, instead of a yielding of a portion of the increase, what would be the situation of a Dissenter, whose industry had given him a landed estate? He now, from his dislike of the Church doctrine, ritual, and discipline, contributes towards the maintenance of his own church and his own minister. He, naturally, and most reasonably and justly, grudges the yielding of a tenth of the increase of his land ; but he has the means of mitigating the burden, by using the land in such a way as to make it as small as possible. Let this commutation come, and it fixes him with a rent-charge *for ever* ; takes from him, and the owners after him, *a fifth part of the property in his estate* ; places him in the situation of a *mortgager* ; gives him a co-partner in the possession of his estate ;

and, in some cases (and there are many of them,) when a lord, or other great man, is the owner of appropriations, he will be as a mortgagee to all the land-owners of a whole district of country.

It is impossible that Dissenters can submit to this, except in the way of yielding to *downright force*; and yet something must be done to remove this intolerable grievance of tithes. *That something* will be, at last, and it would be wise to let it be at first, a complete and total abolition of tithes; a complete and total taking of them away from the established Church; and letting that Church rest, as other Christian Churches do, upon its own intrinsic merits, and upon the voluntary support of the people who like it; the good effects of which I shall have hereafter to describe; concluding this present letter with expressing a hope that I have clearly proved, that the domination of the established Church over the Dissenters has no other foundation than that which was created by Acts of Parliament; and that those Acts of Parliament were founded in injustice and enforced by the most barbarous means

LETTER IV.

DOES THE ESTABLISHMENT CONDUCE TO RELIGIOUS
INSTRUCTION?

PARSONS,

No: flatly no: if "religious instruction" mean a teaching of the people the principles and practice of a pious worshipping of God, as their Maker, their Preserver, and as a being to whom they are to be answerable for all their actions in this world: flatly no!

When the Dissenters object to the union of Church and State, and insist, that the teachers of religion ought to be supported by the *voluntary* offerings or contributions of those who choose to have them ; the answer which they receive from both the political factions is ; that “ it is the *bounden duty* of every state, or government, to provide, BY LAW, *religious instruction* for the people who live under it.” Nothing can be more false than this ; nothing more at variance with the precepts and practice of Christ and his Apostles. They never called upon the State for its support, or for its aid in any way : they taught, that the priest was to live *by the altar* ; that is to say, by the *voluntary* offerings of those who came to the altar ; they set up no claim to any tax upon the *land*, or upon *houses*, or upon *people’s labour* ; a claim to a heavy tax on all which is set up, and enforced, by our established Church.

For many, many ages, Christians, in no part of the world, knew any thing of *compulsory* payments to any priesthood ; and until 1215 the Church of Rome never pretended, that any tithes were demandable by *common right* ; and it was a long time before there was any *law*, in any part of this country, to force people to yield tithes of any kind to any body. And yet Christianity spread itself all over Europe, and churches and cathedrals rose up, without any compulsory payments ; just as Dissenting Meeting Houses and Catholic Chapels now rise up, to hold the millions who flee from, or turn their backs on, the established Church. When the Roman Catholic Church had recourse to the aid of the State to produce *compulsory payments to it*, it began to decline in the estimation of the people. It grew *rich*, it became luxurious, it became grand and *splendid*, and the attachment of the people to it be-

came feeble in the same proportion: till at last an attempt to raise money by a *sale of indulgences*, in order to apply that money to the building of St. PETER'S CHURCH AT ROME; in order to erect this piece of ostentation and pride; till at last this attempt, this audaciously profligate use of the power of the Pope, produced that open opposition which led to the *protest* against his authority; and hence came *Protestants* and the *Protestant* religion.

It is false, then, to say that it is the duty of a State or Government to provide, by law, for the *religious instruction* of the people. The principles and practice of CHRIST and his Apostles contradict this assertion, which is also contradicted by the practice of all Christendom for twelve hundred years. But it is said, that, though every man have the Bible in his hands, there would be an endless variety of faiths if every man were to be his own interpreter, and if there were no arbiter. An illustration of the absurdity of this has been sought in the case of the common and statute law; and it has been said, what would be the situation of property and of life, if there were *no judge* to determine the meaning of the law, and to compel the parties to submit to his interpretation? This is very naked sophistry; because, if there were no interpreter of the laws, no arbiter, by whose decision men were to be bound, men would do injustice and great injury to one another; every man would interpret in his own favour and to the injury of his neighbour; but in the other case, it is a matter *between man and his Maker*; no injury can arise to any other person from my wrong interpretation of the Scriptures, considered as the foundation of my belief, and as the ground of my worship; and there is no more necessity, for the good of society, that I should believe the meaning

of the first chapter of St. JOHN to establish the doctrine of the Trinity, than that I should believe the contrary. It may be very *desirable* that the people of a country should be all of one faith, and all frequent the same places of worship: but it never can be desirable that the whole of a people should be heavily burdened to support the priests of one particular sect, from whose teachings nine tenths of that people dissent; there can exist a rightful power nowhere to uphold by force, by jails, by stripes, by prisons, by halters, a state of things like this.

But, as to "*religious instruction.*" Let us see a little what this established Church *does* in this way. It is very well known to every body that ever heard of the matter at all, that the greatest of all the objections to the Roman Catholic religion was, its ORAL CONFESSIONS and its ABSOLUTIONS, GIVEN BY THE PRIESTS. This is very well known. Now then, what does this Church teach? Why, both these, in principle and in practice. In the "VISITATION OF THE SICK" it is ordered by the Rubrick, that the priest shall go to the sick person, who is to be moved by the priest to make a SPECIAL CONFESSION OF HIS SINS, after which the priest is to ABSOLVE HIM after this sort: "Our Lord Jesus Christ, who hath left power to his Church to absolve all sinners, who truly repent and believe in him, of his great mercy forgive thee; and by his authority, *committed to me*, I ABSOLVE THEE FROM ALL THY SINS." Here is "*oral confession*," here is "*absolution*," as complete as ever was heard of in the Church of Rome. It is well known that the Protestant Dissenters, from the very first, held this in abhorrence; and it is equally notorious that, during a hundred years, they were, by this established Church, or at its instigation, exposed to banishment

for life, or to death upon the gallows, for not going to the church and professing their belief, that this confession and absolution were agreeable to the will of God. Supposing, therefore, the Church to be efficient for its intended purposes, is this to be called "*religious instruction*;" and is there even one single churchman in the whole kingdom who will declare, that he believes that any bishop or parson has authority from CHRIST *to absolve him of his sins*? Not one single man, with the exception of the parsons and their kindred, and perhaps their patrons, will say that he believes this. Here, then, is a part of the *religious instruction*, which it is the alleged duty of the State to provide for us, and for which that State makes us pay sums so enormous, and for not paying towards the support of which, as tithes upon the fruit of labouring men's labour, even day-labouring men are liable by the law to be sent to jail, and sometimes are sent to jail. Let it be observed, that this confession and absolution are provided for *by act of Parliament*; that they proceed from *the law*, and do not arise from the taste or caprice of any man.

One part of "*religious instruction*," and a great part of it, is the *teaching of children*; and this is provided for by the law; and pray observe, that it is provided for by the law, which orders, that in every parish the officiating minister shall, upon Sundays and holidays, after the reading of the second lesson, openly in the church, instruct and examine the children of his parish, in some part at least, of the Catechism; and that the fathers, mothers, masters, and dames, shall come with their children, servants, and apprentices, to hear the examination, and to receive the orders of the minister with regard to the instruction of the Children. Now

I will pledge my life, that there is not one man out of every fifty thousand in England and Wales now alive, who ever heard that there was any such law as this. This would be something like "*religious instruction*;" but it does not exist; if it do, I should like to see the man that ever saw an instance of it. If any where practised once or twice in the year, it is such a rarity, so small an exception, as not to be worth naming; though a thing so positively enjoined by law; and by that law, too, which made this Church, and on which this Church professes to stand.

But the great test of all is the ceremony of the COMMUNION. It is this ceremony, it is taking of the *sacrament* according to the rites and ceremonies of the Church, which is the *real test* of *belonging* to, or being a member of the Church. Now the law is very positive in this respect. It orders, "that *every parishioner* shall *communicate*, at the least, three times in the year, of which Easter is to be one;" and I remember that the church-warden of the parish of BOTLEY showed me a printed paper, which he had to fill up, to carry to the visitation, in which was this question for him to answer: "Do your parishioners regularly communicate, according to the law?" When I asked him what answer he gave to that question, he said, "*None at all*;" and, indeed, I saw that he answered none of the questions, but wrote at the bottom of the paper, "*All's well*." I lived in that parish fifteen years. The benefice was worth about five or six hundred a year; I never even heard of but two persons that went to the communion; I have attended the church on Sundays, many times, when there has been nobody in it but myself and two or three children, the parson, the clerk, and the parson's wife, and two or

three of his children ; while the Methodist meeting house was crammed three times a day, so full as for many of the people to be standing outside of the doors ; and though this might be rather a rare instance, it is notoriously pretty nearly the case all over England and Wales.

But, what do they do with the LAW ? The law positively commands that every person shall communicate at the least three times a year, of which Easter is to be one. Now, do I go too far when I say, that not one man out of one thousand ever communicated in his life, unless he be more than three score years of age ? With regard to the young people ; I mean those under thirty, or thereabouts, not only do they never communicate ; but my firm belief is, that not one out of one thousand, under thirty years of age, in England and Wales, has any knowledge even of the *meaning of the word*. Yet, if it be the duty of the State to provide religious instruction for the people ; and if it have the rightful power to tax the people so enormously for the support of its religious instructors ; if it have the rightful power to impose upon all the people a species of religious instruction according to its will, and according to a law of its own enacting, it is surely its duty to see that the instruction take place ; to see that the monstrous masses of money paid by the people are not paid for nothing ; to see that the law is not thus openly set at defiance by people as well as by priests ; or, the religious instruction having ceased, is it not the duty of the State to cause the payments for that instruction to cease also ?

But, after all, the great fact is, that the church is *not* a religious instructor of the people. Not a twentieth part of them go to the church. As long

as banishment or death compelled them to go ; as long as they were stigmatized as something bad and wicked, if they did not go ; so long their dislike of the church was a sort of secret, kept to themselves. Banishment or death hung over their heads until the reign of WILLIAM THE THIRD. The Acts of that reign (before-mentioned) emboldened them to open their mouths a little, and to withdraw themselves from the Church ; subsequent Acts, and public opinion, made their tether still longer and longer ; till, at last, they make a merit of dissenting, and laugh at that, which drew from their forefathers such copious streams of tears and of blood.

The treatment of the poorer part of the people has greatly tended to their alienation from the Church, from the edifice of which they have been almost literally shut out. The poorer part of the people see the rich seated in pews, while they are compelled to stand about in the aisles, exposed to the draughts of air, and to every possible inconvenience. The monstrous abuses in London, and in other great towns, in this respect, are beyond description. Those who have not money, wherewith to purchase a seat, are treated like dogs. In the villages, indeed, it is not pushed to this extent ; but even there the precepts of the Apostles are pretty completely set at defiance. Great merit is taken by those who are teaching the poorer people to read, and who are subscribing for Bibles to put into their hands. Probably very few of them, comparatively, ever read the books thus subscribed for ; but those who do read are likely to tell others what they do read ; and those who do read, read as follows, in the 2nd chapter of the Epistle of St. James, who really seems to have been inspired with a foreknowledge of these very days in which

we live, and with the practice of this Church as established by law.

“My brethren, have not the faith of our Lord Jesus Christ, with respect of persons. For if there come unto your assembly a man with a gold ring, in goodly apparel, and there come in also a poor man in vile raiment; and ye have respect to him that weareth the gay clothing, and say unto him, Sit thou here in a good place; and say to the poor, Stand thou there, or sit here under my footstool; are ye not then partial in yourselves, and are become judges of evil thoughts?”

One would almost imagine, that the Church-parsons had read this with all possible care; and had then determined to act precisely in opposition to it; and had then fixed upon a plan and adopted a series of regulations, the best in the world to give effect to such determination. Men, however humble in life, have some consciousness of their worth as human beings: reason; natural reason, as well as the word of God, teach them, that all men are equal in the eyes of God, at any rate. The law tells them, that the church and the parson are appointed for the “*cure of souls*,” that is to say, the salvation of souls. All men know, and must know, that one soul is as precious as another; and that the soul is not more precious for being in a body covered with fine clothes. All men know this: it is obvious to the understandings of all men. The business at Church is, the salvation of souls; therefore this partiality; this honour paid to the rich, and degradation inflicted on the poor, is revolting to the very nature of man. No man is of so base a spirit as to like degradation: the poorer part of the people, therefore, turn their backs on the Church; and go to those places of worship where

all are upon a level. The old Roman Catholic Church was too wise to make these distinctions: all were upon the floor, rich and poor: for that short time, at any rate, poverty ceased to be held in degradation. This Established Church is the only church in the world, or that ever was in the world, where the poor are, or were, treated in a manner different from the rich.

If it be the duty of the State to provide "religious instruction" for the people; and if it have a rightful power to enact a certain form of worship, and to compel the people to pay for the support of it; if it have the rightful power to compel the people to pay for a Church service in any particular form of words, it is its duty to cause the Church to adhere to that form, in all and every part, according to the law. The law establishing this Church declares *matrimony* to be a "*holy religious ceremony.*" It declares, that this *holy* estate of matrimony "was instituted of God, signifying to us the mystical union, that is *betwixt Christ and his Church*; which holy estate Christ adorned with his presence, and first miracle that he wrought, in Cana of Galilee." Now, if this be all true, and if the Parliament have the rightful power to permit the people to be married *by the civil magistrate*, what is there that the Parliament has not the rightful power to do with regard to this Church? And, is it not evident, that this matrimony part of the Church Establishment is virtually repealed, the moment you pass a law to authorize marriage by the civil magistrate?

There is another part of the law, which made this Church, and which appoints an order for the *Burial of the dead*. It orders this service to be performed at the burial of every person, except such as die

unbaptized, or excommunicate, or have laid violent hands upon themselves. But, we have now a law, which virtually repeals this part of the law of the Church. This new law, passed without any opposition from the bishops; and defended by BLOMFIELD, bishop of London; authorizes those who have the custody of those unfortunate poor, who have no relations or others to pay for their Christian burial, to *dispose* of the bodies of the said unfortunate poor, to be taken away, and *to be cut to pieces by surgeons*; and, of course, be placed beyond the possibility of Christian burial, according to the law on which this Church stands. Now either this service of the "*burial* of the dead" is of some use in the way of "*religious instruction*;" or it is not. If it be not of any use, why are we to suppose that any other of the services, appointed by the same law, are of any use? If it be of no use, what are we to think of the charges for *consecrating* burying-grounds; what are we to think of the dues exacted by the clergy for performing the burial-service; which dues, observe, are of immense amount in the course of a year. If it be of some use: if it do form a part of "*religious instruction*;" if it do conduce to religious feelings, by the great attention it bestows upon the bodies of the dead; what are we to think of that Church whose bishops assented, in person, and whose clergy all tacitly assented, to the depriving of the most unfortunate of the poor of this last trifling mark of attention towards their remains?

And after all this, are we to wonder that the people turn their backs on the Established Church? Are we to wonder that it is become useless, with regard to them? Are we to wonder at any thing relating to the matter, except at the impudence of

those who pretend to regard this establishment as something conducing to religious instruction?

I noticed in the beginning of this letter, that the Roman Catholic Church ceased to be beloved by the people in the exact proportion that it obtained protection from the State; but there wanted a *modern* instance for the illustration of this principle; and that instance we have most complete in the UNITED STATES OF AMERICA; a country, the bare pronouncing of the name of which frightens every unjust devourer of tithes and of taxes half to death. The excellent government of that country; the wise, the cheap, the just government of that country, knows nothing of one religion more than of another. In that country religious sects, religion itself, are wholly unknown to the laws. As connected with religion, the laws of the country know nothing of any man, and of course there is no *compulsion* on any man to pay one farthing to any body for religious instruction. Yet it is agreed on all hands, it will be denied by nobody, that the people of the United States are *better instructed in religion* than any other people in the world; and it is curious too, that TOM CRANMER'S Prayer Book religion is in that country in a very flourishing state (with some parts of the Prayer Book expunged,) and that the bishops and parsons of that church are as much respected and beloved as other religious teachers generally are; and this too, precisely because the religion *is not established by law*.

One reason for supporting this establishment is, that if it were destroyed the people would be split up into sects. What! *more* than they are now? Why should they be split up more than they are now? Having got out of danger of banishment and the halter, they now follow their own fancy in this

respect ; each man acts according to the dictates of his conscience ; and what could he do more if the Church were broken up ?

Oh no ! This thing is not wanted for “*religious instruction* ;” it is not wanted for the teaching of the people, or the saving of their souls, but for quite other purposes, of which other purposes we shall see enough in the next letter, when we come to look at the present *actual state of this establishment*, the bare sight of which ought to make its defenders drop down dead with shame. We shall then see a little more as to the natural effect on the people of the existence of this Church, and of the conduct of its clergy ; but we have here seen quite enough to convince any reasonable man, any man of common understanding and common justice, that it is a gross falsehood to pretend that this establishment ought to be regarded as a thing necessary to the “*religious instruction*” of the people.

LETTER V.

WHAT IS THE PRESENT STATE OF THE CHURCH ESTABLISHMENT ? AND IS IT POSSIBLE TO REFORM IT ?

PARSONS,

The answer to the first of these questions will go pretty nearly to answer the second ; because, though no human being can describe the present state of this Church in its true colours ; though the Church, in its present state, is a thing so contrary to natural justice, so outrageously insulting to the reason and common sense of the nation ; that neither pen nor tongue can furnish an adequate description of it ;

still that which I shall be able to state will be enough to show to every man of sense and reflection, that this establishment admits of no reform; and that, as it arose out of Acts of Parliament, so it ought to be put an end to by Acts of Parliament.

I shall consider the state of the Church under two heads: its REVENUES; and the PERFORMANCE OF ITS DUTIES: and I must beseech the reader's attention, not only to the *facts* that I have to state; but to the *proofs* which I produce of the truth of those facts, moving, as I shall, not one single step without undoubted proof of every single fact.

With regard to the revenues of the Church, they consist, in the first place, of tithes; and these are *personal*, *predial*, and *mixed*. Personal tithes consist of what are called *oblations*, *obventions*, and *offerings*; and these are commanded to be paid by the Act 2d and 3d EDWARD the Sixth, chapter 13. These tithes arise from the profit of the *personal labour* of a man, in the exercise of any art, trade, or employment. They are exacted to this day. I have paid *Easter-offerings* all my life-time; and the sum collected in this way, in the great towns, is perfectly enormous. Within my recollection many men have been put into jail, and kept there for a long time, for refusing to make these payments, they being *Dissenters*, and the payment being contrary to their consciences. But, upon this head we have a parliamentary document, printed by order of the House of Commons, in 1833, showing the extent to which the parsons push this species of demand. This document was laid before the House in the month of August, 1833. It showed, that FRANCIS LUNDY, rector of LOCKINGTON, in the East

Riding of the county of York, charged with tithes the following working-men of his parish.

	Wages.			Sums demanded.		
	L	s.	d.	L	s.	d.
Jeremiah Dodsworth, for last year.....	13	0	0	0	4	4
Ditto this year, hired weekly	15	0	0	0	5	0
William Hall	10	10	0	0	3	6
Harrison Moment	9	0	0	0	3	0
Henry Blakeston	15	0	0	0	5	0
William Foster	8	8	0	0	2	8
George Fenby	6	6	0	0	2	0
John Hall, half a year	10	10	0	0	3	6
John Milner	15	0	0	0	5	0
Matthew Blakeston	8	8	0	0	2	8
Carling Risim	16	0	0	0	5	4
John Dodsworth	15	0	0	0	5	0
William Fallowfield, miller, servant ...	18	0	0	0	6	0
Robert Braithwaite, do. promised to com- pound, but now refuseth*	15	0	0	0	5	0

JEREMIAH DODSWORTH refused to pay. He was summoned before two magistrates, JOHN BLANCHARD, a parson, and ROBERT WYLIE; who sentenced him to pay the four shillings and fourpence, and the costs and charges of the prosecution. He still refusing to pay, the same two magistrates issued a *warrant of distress against his goods and chattels*. He having no goods and chattels, JOHN BLANCHARD, the parson, as magistrate, *committed him to the House of Correction at Beverly, there to be kept for the space of three calendar months, as punishment for not paying his tithes!* Now, observe, the Act before-mentioned of 2nd and 3rd of EDWARD the Sixth, chapter 13, exempts from payment of personal tithes, *day labouring men*, and JEREMIAH DODSWORTH was a day labouring man. The law has long laid it down, that no personal tithes are due from servants in *husbandry*; because, by their labour, things are produced which

* The pound sterling is \$4 80; a shilling sterling is 24 cents, and a penny sterling is as near as can be to two cents.

pay tithes. But now, you will say, how came *justices of the peace* to have any thing to do with this matter? Tithes were an affair known only to the ecclesiastical courts; but the parsons wanted a *swifter* way to come at poor men. They, therefore, procured to be passed, in the 7th and 8th of WILLIAM the Third, "An Act for the *more easy* recovery of *small tithes*. This Act, which was first passed for three years, and afterwards made perpetual, by the 3d of ANNE, chapter 18, made provision that two justices of the peace might issue their warrant of distress against a person refusing to pay tithes. This act extended to all tithes under the value of forty shillings; and this Act took care to make *no exceptions* with regard to *day labourers* and *servants in husbandry*. It enacted, that "*all and every person or persons*" should pay offerings, oblations, and obventions. Thus, was the Act of EDWARD, with regard to day labourers and servants in husbandry, set aside; and the tithe-claimers were let loose upon the whole of the community, with their two justices of the peace to issue distrainments on goods and chattels.

But (and I beg my readers to mark it well) this Act did not go to the length of *sending to jail* persons who had no goods and chattels! That was reserved for the "*enlightened nineteenth century*"; and for the "*beneficent reign*," as Sir ROBERT PEEL called it, of the great big "SOVEREIGN," so famed for his exploits on VIRGINIA WATER. In the fifth year of his "*glorious reign*," an Act was passed (5 Geo. IV. chapter 18) to authorize magistrates to send men to jail, in cases where they had nothing to distrain upon. Under this Act it was that this JOHN BLANCHARD, the parson, by his single authority and warrant, committed JEREMIAH

DODSWORTH to jail for three months, for not paying to his brother parson, FRANCIS LUNDY, four shillings and four pence for offerings, oblations, and obventions! This, then, *is the law!* Is this law to *continue*? Will Sir ROBERT PEEL's Church reform suffer *this law* to continue? If he do not suffer it to continue, he must abolish tithes; and, if he can abolish these tithes, why not abolish other tithes? I leave this for Sir ROBERT PEEL to reflect upon; just observing of LUNDY and BLANCHARD, that they were both *pluralists!*

So much for PERSONAL tithes. Next comes the tithe on mills, which is a sort of personal tithe also. The next class is, the *predial tithes*, as of corn, hay, wood, hemp, hops, and all kinds of fruit, seeds, and herbs. The tithes on *pasturage*, commonly called *agistment* tithes; tithes on milk, on all young animals, on eggs, on young fowls, on young birds (except game.) Tithes are payable on acorns; every thing that grows in a garden. The mast of beech pays tithes; rabbits in a warren are titheable; pigeons are titheable; but *deer are not!* Deer, hares, pheasants, and partridges, are *not titheable*, because they are "*wild animals*," though the high blooded nobility of England now breed them for sale, and sell them. My God! how impudent, as well as unjust, are these things!

Thus we see how large a portion of all the produce, even of our very labour, is taken from us by this Church. Besides the tithes, this Church has all the immense property attached to the Universities and their colleges; all the immense mass of property attached to the great schools; estates without number and without bounds; all belonging to the whole of the people at large, and all swallowed up by a handful of the aristocracy,

their relations, and dependants. For all this property a *great deal ought to be done for the people* ; and is it not curious that, while the amount of this revenue, not so little, in England and Wales, as six millions a year ; is it not curious ; is it not offensive to one's feelings ; is it not an insult to call us an enlightened people, and to brag about the light of the nineteenth century ; to have the audacity to accuse our forefathers of *tameness* and of *ignorance* ; and to issue a Royal Commission at the same time, consisting of bishops, archbishops, and the prime minister, "*to devise the means of providing for the cure of souls* ;" that is to say, to devise the means of causing this revenue to be given to men who will *reside in the parishes, and teach the people the Church religion* !

I now come to speak of the performance of the duties of this Church, having first to observe, however, that with regard to the *whole amount of its revenue* of all sorts, special care has been taken to give us no official account of what that amount is. Return upon return have been made by the bishops : but always keeping this important fact out of sight. They have always been forward to tell us how many *small livings* there are, and what is the amount of the revenue of each of these ; but never have they told us how many great livings there are, and what is the amount of each of them : nor have they ever told us how the small livings *came to be small*, when we well know, that, at the REFORMATION, they were all so settled as for none to be too small : we must, therefore, by-and-by, hunt out the cause of their being small as well as we can.

With regard to the PERFORMANCE OF THE DUTIES of the Church, every man, when he enters into holy orders, makes a positive declaration *before God*, at

the altar, in the presence of the bishop, that "he verily believes, that he is *inwardly moved by the Holy Ghost* to take upon him this office and administration, *to serve God for the promoting of his glory, and the edifying of his people*, that he is determined, with the Scriptures, to *instruct the people committed to his charge*; that he will give his *faithful diligence* always so to minister the doctrine and sacraments, and the discipline of Christ, as the Lord hath commanded, and as this realm hath received the same according to the commandment of God; that he will *teach the people committed to his cure and charge, with all diligence* to keep and observe the same; that he will be *ready with all faithful diligence to banish and drive away all erroneous and strange doctrines contrary to God's word*; and to use public and private admonitions and exhortations, as well to the sick as to the whole, within his cure, as need shall require, and occasion be given; that he will be *diligent in the prayers and in the reading of the Holy Scriptures*, and in such studies as help to the same, *laying aside the study of the world and the flesh*; that he will be diligent to frame and fashion himself and his family according to the doctrine of Christ, that he may be *a wholesome example and spectacle to the flock of Christ*; and that he will maintain and set forward *quietness, peace, and love* among all Christians, but specially among them that are or shall be committed to his charge;" having made these declarations and promises, he solemnly ratifies and confirms them *by receiving Holy communion!*

Besides this, the VICARS (and about one third of the benefices are vicarages) were, before the passing of the act of the 43rd of Geo. III. chapter 84 (of which act I shall have to say a great deal by-and-

by,) compelled to TAKE AN OATH on the Evangelists, that they would be *constantly resident with their flocks*. This oath was not deemed necessary in the case of a rector; but the vicar being an inferior person, it was thought necessary to bind him with *an oath*, over and above the bindings of his solemn declaration on taking orders. Yet, in the face of these solemn vows, in the face of the declaration that each man of them *believed himself moved by the Holy Ghost to take upon him the cure of souls*; in defiance of the solemn ratification of their declarations and promises by receiving the holy communion; despite of all these, a return made by the bishops to the king in council, in 1811, and communicated by the king in council to the parliament, there were, when that return was made, *ten thousand four hundred and twenty-one benefices*; and of those benefices *five thousand three hundred and ninety-seven of the incumbents were resident on their benefices*, and *five thousand and twenty-four were not resident on their benefices*; and of course were not fulfilling their vows made at their ordination!

But we now come to a memorable epoch and transaction in the history of this Church; namely, the act of Parliament of 1803, 43rd of George the Third, chapter 84. The reader should be informed, that, during the late "*glorious*" war against the republicans of France, a total change took place with regard to the conduct of the clergy of this church. The French, broken loose from the fangs of their tyrants, had committed deeds which filled all the world, and particularly the English people, with horror. They had put down their church, and all its trappings and its tithes. They had almost ^{entirely} claimed themselves ATHEISTS. This ^{English} reason-
 sons, not only for their own ^{secular} Act, passed
 ant; namely, 13th

aggrandizement, as they thought, took advantage of these things; they represented *all Dissenters* generally, and every man who dared to utter a word by way of complaint against tithes, or against the Church, as a *friend of the French atheists*; as a *jacobin*, a *leveller*, a *revolutionist*, and a *rebel* in his heart. They succeeded: and during that war innumerable persons were punished by heavy fines and imprisonment, for mere inuendos; for merely hinting, with regard to the clergy and the Church, only a hundredth part of what is now explicitly declared against them in every newspaper in the kingdom.

In this state of things, nineteen twentieths of the nation blinded and deluded, and the other twentieth silenced by the fear of pecuniary ruin, or a jail, the clergy set the laws of residence openly at defiance, bid defiance to their parishioners in this respect. And now be pleased, reader, to pay great attention to what these laws of residence were. The Act of 21 Henry VIII. chapter 13, provided for the residence of incumbents. This act has the following preamble: "For the more quiet and virtuous increase and maintenance of divine service, the preaching and teaching the Word of God, with godly and good example given, the better discharge of curates, the maintenance of hospitality, *the relief of poor people*, the increase of devotion, and good opinion of laymen toward the spiritual persons." The Act was entitled, "Spiritual persons abridged from having pluralities of livings and from taking of farms." There was a heavy penalty imposed by this act against persons who should procure more than one benefice; the benefice who should be absent from his living and of the act of 1534; any one who should farm, which act I shall provision for himself and his

household; any parson who should buy any thing to sell again, whether merchandise, corn, or cattle, or any other thing; any parson who should offend in any of these respects was made liable to an information *qui tam*; the one half of the forfeiture to go to the king, and the other half to the informer, "suing for the same in the king's courts." There were divers exceptions with regard to chaplains of the king, of the bishops, and of the great nobility; and in these excepted cases the clergyman might have *two* benefices; but as to the general mass of the parochial clergy the act was express, and even towards the clergy of the cathedrals. This clause of the act expressly says, that "every archdeacon, dean, prebendary, parson, or vicar, shall be *personally resident and abiding in, at, and upon, his said dignity, prebend, or benefice*" (or at one of them in the exceptions, where he was allowed to have two;) and "in case of such spiritual person not keeping residence, but absenting himself wilfully by the space of one month together, or by the space of two months, to be accounted at several times in any one year, and make his residence and abiding in any other place by such time, that then he shall forfeit for every such default *ten pounds sterling*; the one half thereof to the king our sovereign lord, and the other half thereof to the party that will sue for the same in any of the king's courts by original writ, debt, bill, plaint, or information; in which action and suit the defendant shall not wage his law, nor have *essoins* or protection allowed."

Now, this was the law, descending down from the Roman Catholic Church, and never repealed nor infringed on. And what could be more reasonable than this? There was another Act, passed after the country became Protestant; namely, 13th

ELIZABETH, chapter 20, providing that no lease of any benefice should endure longer than the incumbent *should be resident in his parish*; and that, if any one offended against this Act, he was to forfeit a year's profit of his benefice. And now we come to the GRAND BLOW of the Church. I have described, before, the state of arrogance and insolence at which the clergy had arrived during the French war; I have described the pitch of total disregard of the people, at which they had arrived, in spite of the existence of these laws, which enabled any body, and particularly their parishioners, to inform against them for absenting themselves from their duty. If their VOWS and their OATHS passed for nothing with them, here was the positive, unequivocal letter of the law; and, recollect, that ten pounds sterling, at the time when the law was passed, was equal to two hundred pounds sterling in the middle of the French war. In this state of things, however, with the people nineteen twentieths blinded and frightened, and the other twentieth not daring to open their lips, *who was to enforce the law?* Where was to be found a man who dared to lay an information against a parson for trafficking, or for being absent from his living? At last there was such a man found; and, in 1799, and 1800, a Mr. WILLIAMS, who had been secretary to one of the bishops, laid informations against hundreds of the clergy; and had the informations in the Court of King's Bench; some of them carried on to the stage of conviction.

Well, this reminded the defaulters of the law, to be sure, and of their duty? There was no remedy but to pay the penalties, and the penalties were enormous, notwithstanding the change in the value of the money; for scores of the parsons, in spite of

their vows and their oaths, had been absent from their livings, or had been farming and trafficking, for years. However, there was no remedy: the law was positive, express, and plain; and no *ex-post facto* law could be passed without a violation of the constitution. Now hear it; not oh Heavens! or oh earth! but oh! injured and insulted people of England! hear what I am about to say. In the year 1801, soon after the bringing of the actions aforementioned, the Parliament, which WELLINGTON said was the best possible Parliament, passed an Act (41st Geo. III., chapter 102) to compel the Court of King's Bench *to stay the proceedings* in the aforementioned actions, till the 25 of March, 1802. Before that 25 of March came, the same Parliament passed another Act (42d Geo. III., chapter 30) to stay the proceedings in those actions still further, until the 25 day of July, in that same year, 1802. Before July came it passed another Act (42d Geo. III., chapter 86) to stay the proceedings under the Act of HENRY the Eighth, and also under the Act of ELIZABETH, until the 8th day of April, 1803. Thus, by these Acts of Parliament, clearly *ex-post facto*; clearly in violation of the express written law; clearly taking from the informer his property, and holding it in abeyance; thus, by this *ex-post facto* law, the parsons were protected in their delinquencies for two whole years, and the informer subjected to the amount of his costs, and exposed to ruin, having the cry of Atheist and Jacobin set up against him, because he obeyed the law in endeavouring to punish these parsons for having neglected their duty, and broken their vows, and their oaths! But, we have only seen the beginning of this memorable transaction. There is *the end* to come yet. The actions having been suspended until April, 1803,

this suspending work was brought to a close by the Act of 43 Geo. III., chapter 84, which Act *laid the foundation of the total overthrow of the Church*, though it was passed at the clamorous instigation of the parsons themselves. It enacted that every spiritual person, who, before that Act, had incurred pecuniary penalties for non-residence, or farming, *should be free and discharged from the same*; that all the actions already commenced should be *rendered null*; that, where convictions had taken place, the informers should receive no more than TEN POUNDS, be the amount of the penalty what it might; and that, as for the other actions where convictions had not taken place, they *should cease and have no effect*; and that such actions should be dismissed or discontinued by order of the Court, *without payment of costs*! This glorious Act then went on to repeal and annul all the informations *qui tam*; to authorize parsons to be farmers, and to buy and sell corn and cattle; to authorize the bishops to give license to what parsons they liked, to farm, to be absent from their livings; and, in short, to do what they chose to permit them to do contrary to the character of clergymen. This Act was brought in by Sir WILLIAM SCOTT, *who was then Member for the University of Oxford*; and it passed, without the smallest opposition, on the 7 of July, 1803. It did not expressly exonerate the clergy from the *vows and promises* made at their ordination: but it *expressly* repealed the obligation on the vicars *to take the oath* of residence at their induction, as will be seen by a reference to clause 37 of the Act.

It is curious that this Act was entitled, "An Act to Amend the laws relating to Spiritual Persons Holding of Farms, and for the *Enforcing the Residence of Spiritual Persons on their Benefices* in

England." How completely it succeeded we have seen ; for, in eight years after the Act was passed, out of ten thousand four hundred and twenty-one benefices, five thousand and twenty-four were without resident incumbents, even according to the showing of the bishops themselves, who would, of course, do every thing in their power to make the thing appear as little bad as possible ! Hence it is that crowds of these incumbents live upon the continent of Europe ; hence it is that the wealth of the parishes is withdrawn from them ; hence it is that these swarms of drones come and take the honey from the hive, and carry it out of the country ; and hence it is that there are, in fact, no Church people left, except the aged, who follow their habits of fifty years ago, and those who have an interest in upholding this prodigious mass of abuse. In the mean while, the clergy have assumed the sword of the *magistrate* ; having lost the powers of *persuasion*, they have resorted to *force* ; laid down the Bible and taken up the Statute Book. They are every where found foremost in a rigid execution of the penal laws. They read the Communion Service, and enjoin on their congregations, by a whole string of precepts from Holy Writ, to be, above all things, *merciful* and *good to the poor* ; and, at this very moment, we see Parson CAPPER recommending the separation of the unfortunate poor man from his wife ; and both from their children ; and we see Parson LOWE in the high tide of practising upon the recommendation. Do they hear ZECHARIAH say, "Woe to the idle shepherd that leaveth the flock ?" Do they read the words of EZEKIEL ? "Woe be to the shepherds of Israel that do feed themselves ! Should not the shepherds feed the flocks ? Ye eat the fat, and ye clothe you with the wool, ye

kill them that are fed ; but ye feed not the flock. The diseased have ye not strengthened, neither have ye healed that which was sick, neither have ye bound up that which was broken, neither have ye brought again that which was driven away, neither have ye sought that which was lost ; but *with force and with cruelty have ye ruled them*. And they were scattered, because there is no shepherd."

Whether they read them or not, the people read them ; and it is not otherwise to put into their hands the means of reading them. However, they do read them ; and they read in the two Testaments, from one end of them to the other, that which has made them make up their minds unanimously, with the exceptions before-mentioned, that this establishment ought to be *repealed* ; that this immense mass of property ought no longer to be held by the aristocracy, their relations, and dependants ; but that, as it is the property of the whole nation, for the benefit of the whole nation it ought to be used.

We have now to see what sort of a *distribution* there is of the benefices. There are twenty-six bishoprics ; twenty-six deaneries ; fifth-three arch-deaconries ; three hundred and ninety-four prebends ; there are four hundred and forty-four fellowships at OXFORD, and four hundred and seven fellowships at CAMBRIDGE : there are the fellowships at WINCHESTER College ; the benefices in the schools at ETON and WESTMINSTER ; the master-ships of innumerable hospitals and schools and other charitable endowments ; there are the masterships of almshouses even, in great numbers ; and all these, with the exception of the least valuable part of them, are in the hands of those who are called " the NOBILITY," and in those of their relations and dependants.

But, now, with regard to the PAROCHIAL BENEFICES ; there are *three hundred and thirty-two* persons, who have amongst them the revenues of *fourteen hundred and ninety-six* parishes. There are *five hundred* more who have amongst them *fifteen hundred and twenty-four* parishes. There are several persons, who are either peers, or the relations of peers, who have each six benefices, at the least, including their cathedral preferment. There is a G. W. ONSLOW, who is the vicar of SEND, perpetual curate of RIPLEY, vicar of SHALFORD, perpetual curate of BRAMLEY, rector of WISLEY, and vicar of PURFORD. There is a GILBERT HEATHCOTE, who is archdeacon of WINCHESTER, a fellow of WINCHESTER College, treasurer of WELLS Cathedral, vicar of ANDOVER, vicar of HURSLEY, perpetual curate of FOSCOT, and perpetual curate of OTTERBOURNE. There is Lord WALSINGHAM, who is on the pension-list as last printed, for 700*l.* a year, who is Archdeacon of Surrey, a prebendary of WINCHESTER, rector of CALBOURNE, rector of FAWLEY, perpetual curate of EXBURY, and rector of MERTON. The Earl of GUILDFORD is rector of OLD ALRESFORD, rector of NEW ALRESFORD, perpetual curate of MEDSTED, rector of ST. MARY, SOUTHAMPTON, including the great parish of SOUTH STONEHAM, master of St. Cross Hospital, with the revenue of the parish of St. FAITH, along with it. There is a Mr. John FELLOWES, rector of BRAMMERTON, rector of BRATTON CLOVELEY, vicar of EASTON NEWTON, rector of MAUTBY, rector of SHOTTISHAM ST. MARTIN. There is the Honourable E. S. KEPPEL is a rector in *five* parishes, and a *vicar* in two parishes. There is the Rev. Wm. HETT, who is a prebendary, and a vicar choral in Lincoln, a rector in *three* parishes, a vicar in *two* parishes, and a per-

petual curate in *two* parishes. There are three PRETTYMANS, having, amongst them, *fifteen* benefices. There is the Rev. F. D. PERKINS, chaplain to the King, rector of HAM, rector of SWAYFIELD, vicar of FOLESHILL, vicar of HATHERLEY-DOWN, vicar of Sow, vicar of STOKE. I will not tire the reader, but I must mention the Rev. J. T. CASPERD, who has a prebend in each of the two cathedrals of WELLS and LLANDAFF, who is a rector in *one* parish, a vicar in *four* parishes, and a perpetual curate in *two* parishes! WELLINGTON'S BROTHER has one of the great prebends of DURHAM, he is rector of BISHOPWEARMOUTH, rector of CHELSEA, and rector of THERFIELD. These are merely instances; so that, as the reader will see, the Parliament is going to be prettily amused with a scheme for *making provision for the cure of souls*. As to the authority upon which I state these things, I take them from a book printed by RIVINGTON of St. PAUL'S Church-yard, entitled the "CLERICAL GUIDE," and published in 1829, that being the last edition; and it is well known that Messrs. RIVINGTON are the *booksellers of the established Church*, and that they have been such for fifty years.

Now, will any man pretend to say, that this establishment *ought to exist as it is*? And will he pretend to say, that it is possible to *reform* it by mere miserable expedients, such as are now talked of? Why, the very suggestion of a desire to *discover* the means of providing for the cure of souls: the bare fact, that the king has appointed a commission of bishops and others, to *discover the means* of making this provision; when we see fourteen hundred and ninety-six parishes in the hands of three hundred and thirty-two men; when we see the incumbents thus, by necessity, incapable even to go

to look at their parishes ; when we see the Bishop of London, who is one of the commissioners to discover these means, with a relation, promoted by himself, to be a prebendary of CHESTER, and the rector, at the same time, of *two great parishes* ; when we see the Archbishop of York (who is another of the commissioners) with one relation being a chancellor of the church of YORK, Archdeacon of CLEVELAND, rector of KIRBY, vicar of STAIN-TON ST. WINIFRED, and rector of STOKESLEY ; when we see this, what are we to believe with regard to the *real intention* of this commission ?

But there is another branch of this subject, the SMALL LIVINGS, which, if our indignation were still asleep, would rouse it into most turbulent action. It is hardly credible, but the facts are these, that in England and Wales there are sixteen thousand and some odd *separate parishes* and *townships*, each having its church (where the church has not been suffered to tumble down,) each having its churchwardens and overseers ; and each ought to have its resident minister ; but when the aristocracy had grasped the property of the Church and the poor, as we have before seen, in the reign of HENRY the Eighth, they passed an act to *unite parishes* ; so that two parishes became one as to the proprietorship of the tithes and offerings. This act was 37 Henry VIII. chapter 1. By another act which was passed 17 CHARLES the Second (chapter 3,) the power of uniting parishes was *extended* still further than by the Act of HENRY the Eighth. the united parishes became one living or benefice ; but they still retained by law their separate capacity as to the civil parochial government. Thus the sixteen thousand parishes and townships became moulded into ten thousand four hundred and

twenty-one benefices; and we have just seen how those benefices are heaped together for the aristocracy, their relations, and dependants. The uniting of parishes was for the purpose of getting the revenues into greater heaps, to be handy for the purposes of the aristocracy, who have now the impudence to pretend to believe that the country is now more populous than it formerly was, while they have united the parishes in this manner under pretence of the people having become *less numerous!*

Now to the facts with regard to the **SMALL LIVINGS**. The parishes were united to make them all large enough. Yet when the last return was made by the bishops to the King in council, and that return was laid before the House of Commons, which was in 1818, the thing stood thus: There were ten thousand four hundred and twenty-one livings or benefices. Of these there were 4,361 that were called "*small livings*," the revenue of each being under 150*l.* a year. Some of these were under ten pounds a year, and so on up to a hundred and fifty. In short there were 4,361 benefices so small, in spite of the unions, that the average revenue of them was 84*l.*! Monstrous fact, while there are bishops with from twenty to forty thousand pounds a year revenue; while there are deans, prebendaries, archdeacons, rectors, vicars, fellows of colleges, with thousands a year each; and observe, these small livings are exonerated from the land-tax on account of their smallness! How then (for this is the great question;) how then (for this is the question for Sir ROBERT PEELE to answer to a Parliament of sense and spirit;) *how, then, came there to be small livings*, when every thing was so settled at the Reformation that the law

(as I have above cited it) insisted imperatively on the residence, on the constant residence of every incumbent on the spot whence he derived his revenues? Could the law contemplate a man's constant residence upon a spot, and the performance of clerical duties on a spot, the revenues of which yielded him less than ten pounds a year of *our money*? That is impossible. The livings were all sufficiently great at that time, and now let us see *how they came to be too small*. Every living yields a sufficiency now, and more than a sufficiency. The *people pay* more than a sufficiency. Who then is it that *takes it away* from the rector, the vicar, or perpetual curate.

To be sure, the aristocracy took away a large part of the property of the Church and the poor: they took away the abbey-lands; they took away a large portion of the great tithes; but the law took care to leave enough for the due maintenance of the incumbent. The parsons are now crying out against the lay-impropriators, and, if the people were to cry out against them, the cry would be just enough. But we must look at the conduct of the clergy themselves, and see what hand they have had in the producing of these small livings.

At the Reformation, when the Parliament did with all the Church-property just what it pleased, it basely took away the revenues of parishes innumerable; gave them to laymen in some cases; gave them to colleges in other cases; gave them to Church-dignitaries in other cases; gave them to deans and chapters in other cases. But, in all these cases the law compelled the party, to whom the revenues were thus given, to give a certain sum, annually, to the parson of the parish, forever, which was called an *endowment*. Now, I beg you

to pay attention to what I am going to say. At that time money was of *twenty times* the value that it is now, as nearly as possible. The endowment was a *certain fixed sum*; and now mark the monstrousness of this aristocracy and aristocratical part of the clergy. The *revenues* are much about twenty times as great as they were at the time when the endowment was fixed. These great clergymen have received the augmented revenues to their full extent; and they have paid the parsons, in the several parishes, the bare sum of the endowment; that is to say, a *twentieth part of what they ought to have paid them*; and, of the 4,321 small livings, the poverty of the far greater part of them arises from this cause. Two or three instances will be better than a long essay, and a great deal better than any declamation on the subject. The parish of ALDERSHOT, in Hampshire, was given to the Master of St. Cross Hospital at WINCHESTER, reserving an endowment of *fifteen* pounds a year for the parson of the parish. The tithes then amounted, probably, to about *thirty* pounds a year in that money. They now amount to upwards of *seven hundred* pounds a year. The master of St. Cross Hospital receives the seven hundred pounds a year, and he honestly gives the parson of the parish the *fifteen* pounds a year. And WHO is this Master of St. Cross Hospital? It is the EARL OF GUILDFORD! No wonder that we see such alarm at the prospect of meddling with Church property; but is this good treatment of the people of ALDERSHOT, in whose parish, in defiance of the law, there is *no parsonage-house*; and how should there be, when Lord GUILDFORD leaves but fifteen pounds a year in the parish? This is an agricultural and nice productive little parish, with

four hundred and ninety-four inhabitants. Take another instance, in the north of Hampshire. HURSTBOURNE PRIORS, united with the parish of St. MARY-BOURNE, contains, probably, four or five thousand acres of land. The tithes of all sorts cannot be worth so little as six or seven hundred a year. Lord PORTSMOUTH's fine house and park are in one of these parishes. There are two churches, and 1,205 inhabitants, all agricultural; some of the finest meadows, sheep-farms, and coppices, in the kingdom. These two united parishes give to the incumbent *a hundred and thirty pounds a year*, including an addition out of Queen ANNE's Bounty; that is to say, out of the taxes (of which I shall say more by-and-by.) The Bishop of WINCHESTER is the patron; and I do not ascertain from any document that I have, who it is that takes away the revenues; but I know this, that the parsonage-house is in "a damp and unhealthy situation," the bishops say, and that no parson resides in it: so that here are two parishes, with four or five thousand acres of fine land, with 1,205 inhabitants, paying, perhaps, a thousand a year in tithes and offerings, with two Churches, with a non-resident parson, paid partly out of the taxes, while the revenues of the parishes are taken away by the Bishop of WINCHESTER, or by some one who pays the pitiful endowment to the parson. Take another instance. The parish of BENTLEY, in the east of Hampshire, and a few miles from FARNHAM, in Surrey, has a population of 400 persons. A considerable part of the parish is fine hop-garden; the tithes amount to from 800*l.* to 1,000*l.* a year, and the parson receives his endowment of *twenty-eight pounds a year*. He would receive *five hundred and sixty pounds a year*, if he were to be paid according to

the spirit and intention of the endowment. If his endowment had been raised as the tithes went on rising, he would now have 560*l.* a year at the least. In despite of the law, there is *no parsonage-house in the parish* ; and here is this productive and populous parish left without parsonage-house or parson, while the *Archdeacon of Surrey* takes away the 800*l.* or 1,000*l.* a year ! And *who is the Archdeacon of Surry* ? It is Lord WALSINGHAM, who is a pensioner on the pension-list ; who has the tithes of several other parishes in this same sort of way ; who is a prebendary of WINCHESTER ; and, as we have seen before, a chaplain to the King, rector of CALBOURNE, rector of FAWLAY, perpetual curate of EXBURY, and rector of MERTON, or who was all these, observe, in the year 1829, that being the latest period to which my authorities come down.

Here is enough : here is a sample of the whole ; and hence it is, that there are 4,361 *small livings* out of the 10,420 ! And is Sir ROBERT PEEL sitting in a Commission : do not his vast acquirements and talents cry aloud against him, while he sees these things in existence, and while he is sitting in a commission, to discover the means of providing for the cure of souls in the parishes of ALDERSHOT, HURSTBOURNE, and BENTLEY ; and in all the other thousands of Parishes similarly situated ? And does he believe that he can “*reform*” this Church with the assent and co-operation of the dignitaries of this same Church ? He heard Sir JAMES GRAHAM tell us, that “*the tithes belonged not to man ; that they were given to God.*” Are they given to God at ALDERSHOT and at BENTLEY ? Or would it be the most daring blasphemy to affect to believe that they are so given ?

Bad as all this is, shameful as it is, the blackest story still remains to come; namely, the invention and application of what is called **QUEEN ANNE'S BOUNTY**, of which the people of England have heard *talk* long enough; and it is now time that they *understand* something about it. They will find that it was no *Bounty* of **QUEEN ANNE**, or of any body else; but a parcel of *public revenue* and of *taxes*, taken from the people by the aristocracy and given to themselves. To prove this we must go a little back, and begin at the bottom of the curious thing which we have now before us.

Until **HENRY** the Eighth quarrelled with the Pope, and cast him off, the Church paid its **TENTHS** and **FIRST-FRUIT**S to the Pope; or, at least, he had the disposal of them for what was termed the good of the Church. And, now, let us see what these tenths and first-fruits are. They consist of a tenth part of the annual revenues of every benefice, from the bishoprics down to the smallest parochial livings. These are called the *tenths*. The **FIRST-FRUIT**S consist of the first year's clear revenue of every benefice, from the bishop downwards. When **HENRY** the Eighth and his Parliament took these from the Pope, the King, having made himself *head of the Church*, took them to himself; had the several benefices valued; had books made, called **THE KING'S BOOKS**, in which the value was recorded; and he made the clergy pay their tenths and first-fruits accordingly, all which the Parliament provided for by an Act, 26th **HENRY** the Eighth, chapter 3. When **MARY** came to the throne, she gave back the tenths and first-fruits to the Pope. **ELIZABETH** (1st year, chapter 4) took them back to herself; but discharged or acquitted such benefices as had not a revenue of *more than ten pounds a year*.

Money had become somewhat diminished in value at this time, and therefore it appeared just to make this change. In the reign of Queen ANNE money had greatly lowered in value; and she (5 Anne, chapter 24) *discharged* from the payment of the tenths and first-fruits all benefices the then revenues of which were under *fifty* pounds a year. We shall, by-and-by, see the monstrous profligacy of this work of *discharging*. But we must now return to QUEEN ANNE'S BOUNTY. She, like her Protestant predecessors, received the tenths and first-fruits, which were not her *private property*; but made a part of *her revenue*, wherewith to maintain her state, her household, her officers of state, her ambassadors, and the like; but the aristocracy fell upon a scheme of taking these tenths and first-fruits to *themselves*. By the Act 2 and 3 of ANNE, chapter 11, they took them away from her, under pretence of wanting money to augment the smaller livings; and they established a Board of first-fruits, consisting of trustees appointed by the crown, who were to receive the tenths and first-fruits, and apply them to the purposes described by the act; which was, the augmentation of small livings; and this they called the BOUNTY OF QUEEN ANNE, though *taxes* were imposed on the people to be given to her *in lieu* of her tenths and first-fruits! I have spoken before of the act of her reign which *discharged* the small livings from paying the tenths and first-fruits, and shall have to speak of it again presently.

Thus you see that it was a portion of the revenues of the state, which was thus taken from the state and given to the clergy, and as we shall presently see to the aristocracy. But we see only a part of this thing yet. Exemptions from land-tax and

stamp-taxes exist with regard to these small livings; but besides these, numerous grants have been made *out of the taxes*; out of the *consolidated fund*; out of the fruit of the industry of every man in the kingdom, Churchman, Dissenter, or Catholic. At the particulars and at the gross amount of all these grants, during the hundred and twenty years that the QUEEN ANNE's Bounty-Corporation, or Board of Commissioners, has existed, I have no means of coming: but I know that during the regency and reign of our late most big and "beneficent" sovereign *one million five hundred thousand pounds were voted out of the consolidated fund*, to go to augment the QUEEN ANNE's Bounty, the particulars of which, year by year, will be seen in *my history* of that "beneficent" reign and regency. So that you will please to observe, it is all a mass of taxes altogether, taken from the Dissenters and Catholics, Scotch church and all, as well as churchmen, to be given for the *relief of the poor clergy of the Church of England*, as it is described in the distribution of parliamentary grants. Oh! how this nation has been duped! Oh! what a score this church has now to settle with it!

Well, but it *was* to "augment the small livings;" was it not? It *was* to make the *lot of the poor parsons a little better*, was it not? Stop a bit, I will tell you all about that, and will, in the next paragraph but two, make you grind your teeth at the bare sight of any thing black; but before I do that we must have a word about these "KING'S BOOKS," according to which the Act of HENRY the Eighth above-mentioned (26th of his reign, chapter 3) the tenths and first-fruits were to be paid. That act provided, that the value of the benefices should be inserted in THESE BOOKS; and that the

tenths and first-fruits should be paid accordingly. Now, money was *twenty* times the value then that it is at this time ; but it has been exceedingly convenient to the aristocracy and their church that the *nominal sum* should still *remain the same*. So that a living that now yields five hundred a year was then rated, probably, at five-and-twenty pounds a year ; and according to that rate the parson now pays, if he pays at all ; so that he gives to the state *two pounds ten shillings* a year instead of giving *fifty pounds a year* ! I have before me an instance of this within my own knowledge. BOTLEY, the parish in which I lived, in Hampshire, is rated in the King's books as yielding a revenue to the parson of 5*l.* 10*s.* 2½*d.* a year. I know that the living was worth to the parson between *five and six hundred pounds a year* ; so that the parson, instead of paying *fifty pounds* a year or upwards, as his tenths ; instead of paying upwards of *five hundred pounds* as his first fruits, paid as first fruits 5*l.* 10*s.* 2½*d.*, and pays as tenths 1*l.* 1*s.* 0½*d.* ! Now the present man has had the living *thirty-two* years, and he has kept from the State, according to the law of HENRY the Eighth (without which these tenths and first-fruits have no existence in law,) the sum of *two thousand and sixty-one* pounds, not reckoning interest. Yet, it is not the *parson* who gains here : it is the ARISTOCRACY again ! The ADVOWSON belongs to the DUKE OF PORTLAND ; and it is *worth so much more now* than it would be if it rendered *first-fruits and tenths* according to the Act of Henry VIII. ! Good again : thus, it is all for *this aristocracy*.

But great numbers of the livings are *discharged*, on account of their smallness. Discharged, first by the 1st of ELIZABETH, chapter 4 ; and, second, by

the 5th of ANNE, chapter 24. Now do look at the monstrosousness of this. ELIZABETH discharged them, if the revenue were not above ten pounds a year; and ANNE discharged them if they were under *fifty* pounds a year. That is to say, of their *real value* at those two times. But, in laying this *real value* before the people, the value of *the endowments only* was given; only the real value of that which was given to the poor parson; and thus stands the thing now to this day; and the parish of BENTLEY, before mentioned, the real revenue of which is from eight hundred to a thousand pounds a year, and the parish of ALDERSHOT before mentioned, the revenue of which is between seven and eight hundred pounds a year, *stand discharged* from the payment of first-fruits and tenths, on the ground that *each is worth less than fifty pounds a year*, while their great revenues are received by Lords WALSINGHAM and GUILDFORD, who here rank amongst the "*poor clergy of the Established Church!*"

This would be a most scandalous piece of injustice to the nation; a most shameful evasion of the intention of the law, even if the act of HENRY the Eighth had made no provision for the change in the value of money. But the Act does make such provision. It provides, that the Chancellor of England, *for the time being*, shall issue commissions, in order to have livings *taxed*, and the *rates* levied to the use of the king, his heirs and successors for ever; so that all the benefices might pay, at all times, "*according to their true and just, whole and entire, yearly values!*" If the present Lord Chancellor were to issue, as *he is fully authorized to do*, without any new law, a commission of this sort, instead of carrying on discussions with Bishop BLOMFIELD,

about "*Church Reform*," we might expect something like real reform in this Church. *This is the law* as completely now as it was in the 26th year of HENRY the Eighth; and Bishop BLOMFIELD (clever fellow) is only thinking how he can make "provision for the *cure of souls*," while his relation is a prebendary of CHESTER, and is the rector of two thundering great parishes in Cheshire; and while there are 332 men who have 1496 parishes amongst them!

But, the reader will say, you told us just now, that you would tell us all about the story of the Queen ANNE's Bounty being applied to the *mending of the lot of the poorer parsons*; and so I will tell you, and now directly. I have told you, that the living of ALDERSHOT yields a revenue of about seven hundred pounds a year. Well, now, that living has been augmented by Queen ANNE's Bounty, by the amount of fifty pounds a year; that is to say, that the people pay, in taxes, fifty pounds a year to the poor parson, while Lord GUILDFORD takes away the whole of the revenue, all but fifteen pounds! I have told you that the living of BENTLEY yields from eight hundred to a thousand pounds a year; and that the parson receives twenty-eight pounds a year out of that revenue, while Lord WALSINGHAM takes the rest. That living also *has been augmented by Queen Anne's Bounty*; that is to say, *out of the taxes*, paid by Dissenters and Catholics, as well as by Churchmen. Every labouring man in the kingdom is taxed to help to pay this poor parson, while Lord WALSINGHAM takes away the revenues of the parish, and to Lord WALSINGHAM we give the taxes, to be sure, and not to the poor parson, whose living ought to be worth five hundred and sixty pounds a year. To crown the

whole, great numbers of the rich pluralists are the holders of small livings that have been augmented by QUEEN ANNE'S Bounty ; that is to say, they, under the garb of "*poor clergy*," put into their pockets, taxes, paid by a people whom they now propose to make live upon a "*coarser sort of food*!"

Now, then, is it possible to reform this Church ? the very first step would be to make it pay tenths and first-fruits, according to the true meaning of the law ; and to make every living incumbent pay up the arrears, according to that law : the next step, to compel the Church to pay back to the people the amount of all the sums that have been given to "the poor clergy out of the taxes:" the next step, to compel those who pay the miserable endowments out of the revenues of the parishes, to pay those endowments according to the altered value of money : the next step, to repeal the monstrous Act of 43rd of GEORGE III. and to compel residence unremitted, or forfeiture to the amount prescribed by the Act of HENRY VIII., and an addition in point of sum, according to the altered value of money. This would be *real reform* ; with any thing short of this no man of sense and of spirit would be satisfied : this would abolish the monstrous pluralities ; would place a resident minister constantly in every parish ; would make the clergy Christian-like teachers ; would put an end to their scandalous luxury, and to their unbearable insolence.

The question is, can SIR ROBERT PEEL effect a reform like this ? If he cannot, he will only labour in vain. At every step, he will be met with the statements which I have made in this book. He will perceive that there can be no contradiction given to me with truth. He will look at this monstrous mass of abuses, and of injustice towards the

nation, that he will find stated in this little volume. He will perceive the utter impossibility of removing this mass of abuse and injustice, by any means, other than those that will put an end to this hierarchy for ever : he will see that that must be a great revolution in England ; but after he has turned it round and round, and looked at it on every side, he will see that that revolution is absolutely necessary to prevent *a greater revolution*. It will be, and I scorn to disguise my belief in the fact, a pulling down of the whole of the aristocracy ; a lowering of them by many a degree ; but he will have too much virtue, I should hope, not to prefer that to a destruction, a total destruction, of **THAT**, which it is his bounden duty to uphold and defend at all hazards, whether of reputation or of life.

LETTER VI.

WHAT IS THAT COMPOUND THING CALLED CHURCH AND STATE ? AND WHAT WOULD BE THE EFFECTS OF A SEPARATION OF THEM, ONE FROM THE OTHER ?

PARSONS,

I shall, in the latter part of this letter, state what would be the effects of a separation of Church from State. As to the former question, we now know pretty well what a *Church* is, and what this Church in particular is ; and now let us see what a *State* is. A State is not a king and a ministry ; a State is a *Commonwealth* ; a people formed into a community, and freely forming a government, by which they agree to be ruled. That is a **STATE**, in the large sense of the word. In a somewhat narrower

sense, it means *the government of such a community*, or commonwealth; and every thing which belongs to, or is upheld by, the whole government, legislative as well as executive, may be said to be *connected with the State*. In this manner the Church is connected with the State, and it calls itself, and the king, at his coronation, swears that it is a church established BY LAW; that is to say, by the law of man. The head of the government is also the head of the Church. The Church, as established by CHRIST and his Apostles, had no such head; it knew nothing of any government protection; it appealed not to the laws of man. It asked for no laws, and it had no laws, to compel people to give their money or their goods for its support. It inculcated the duty of Christians giving their money or their goods, if they could afford it, to defray the expenses of the altar, and to feed and clothe those who served at the altar; but it resorted to no force; to no penalties, much less to imprisonment and death, to compel men to conform, and to give their money or their goods. The Church, as established by CHRIST and his Apostles, was, in this respect, what the Churches of the Dissenters are now. It depended, for its support, on the voluntary offerings, oblations, and contributions of the people. Therefore it is, that the Dissenters represent the established Church as *unchristian* in its nature; and, feeling that it loads them with heavy burdens, they justly and reasonably call for a separation of the Church from the State.

Now, let us hear the objections to the granting of this prayer of the Dissenters; for it would be hard, indeed, if those who possess from six to eight millions a year of property belonging to the commonwealth; hard, indeed, if they could find out no ob-

jection to the taking of that immense sum away from them.

Their first objection is, that such a change would be contrary to all the settled notions of mankind, according to which, it is the bounden duty of every government to provide for the religious instruction of the people. I have before answered this objection completely; but if it be the duty of a government to provide for the religious instruction of the people, *does* it provide for it by the means of this Church, when we find, that, out of 16,000 parishes and townships there were resident only 5,397 incumbents; and when we find 1,496 parishes in the hands of 332 incumbents; when we further find, that there are in England and Wales 254 parishes without any churches; 1,729 parishes, which have no parsonage-houses; and 1,422 parishes, which, in spite of the law, the parsons themselves represent as unfit to live in; and, be it observed, too, that this refers to the *benefices*, and not to the parishes; for then there are about five thousand more parishes and townships that have no parsonage-house, notwithstanding the provisions of the law, to compel the upholding of the parsonages. Does the Church, then, exhibit to us the means of religious instruction for the people? In a very large part of England and Wales the teaching of religion would be utterly unknown to the people, were it not for the Dissenters of various descriptions. Many reports from the missionaries of the Dissenters have stated that they have found whole parishes totally destitute of all knowledge of religion. And why are we not to believe the fact, when we see 1,496 parishes with their revenues in the hands of 332 incumbents?

But it is said, that these swallows; these *noble*.

honourable, and *gentle*, incumbents employ CURATES in their parishes ; that is to say, that they *hire men to do their duty*. In the first place, they do not hire one man for every parish ; and nothing is more common, in some parts of England, than one curate serving three parishes ; and in some cases four ; nothing so common as two. But, how stands this matter ? The curate is paid so poorly, that it is utterly impossible that he should perform the duties of a teacher of religion in the manner that he ought to do. He is a poor man, with hardly the means of living better than a mechanic, or a labourer. His poverty is known, and seen ; and, as he sets up for a *gentleman*, he excites no compassion in his beholders ; but is sure to excite their contempt ; and, this being the case, is it likely, that he should do much in the way of giving *religious instruction* ? Was it ever yet known in the world, that men sucked in instruction from those whom they despised ? However, it is certain that the incumbent gives the curate but a small part of the revenue of the parish, and that he puts the rest into his own pocket ; and here is the unpleasant dilemma for the parsons. Doubtless, the Earl of GUILDFORD has curates at OLD ABESFORD, NEW ABESFORD, MEDSTED, ST. MARY SOUTHAMPTON, and SOUTH STONEHAM, and also in the parish of ST. FAITH : doubtless he has curates ; for he hardly does the duty himself, while he is living at WALDERSHADE in Kent, or sitting in the House of Lords. Doubtless he may have three curates, one at the ABESFORDS and MEDSTED, one at ST. FAITH and ST. CROSS, and one at SOUTHAMPTON ; and, doubtless, he gives them stipends not under eighty pounds a year (in cases like these,) according to the Act 53rd GEORGE III. chapter 149, which Act was made

to compel the rich incumbents to pay their hirelings at a certain rate ! But, here is the dilemma : here is the nasty dilemma for SIR ROBERT PEEL to touch in his Church-reform : either these miserable stipends are sufficient ; are adequate to the payment of men to have the care of souls ; or, they are not sufficient for that purpose. If they be not sufficient, then here is the State neglecting to provide for the religious instruction of the people ; and if they be sufficient, *why give Lord GUILDFORD any thing more* for these parishes, than the amount of the stipend paid to the hireling ? Upon one or other of the horns of this dilemma Sir ROBERT PEEL must be hooked ; and let him get off as he can ; that is to say, he must be hooked, unless he be prepared, as I hope he may, to enact a separation of the Church from the State.

Another objection is, that, if the *voluntary principle* were adopted, religion would suffer by the *dependent state* of the Ministers, who would then be the mere hirelings of their flocks, What are these miserable curates then ? They do not receive, on an average, one half of what the average of Dissenting Ministers receive. And, as to dependence ; the Dissenting Ministers are dependent on the caprice of nobody ; not even a part of their congregation ; while the miserable curate is in the most abject state of dependence ; and that, too, on the will, on the caprice, it may be, of *one single man* ; for the incumbent has the power of discharging the curate whenever he pleases ; in spite of all the pretences of the Act 53rd Geo. III. chap. 149, to give protection to these poor creatures. Besides which, the curate, if he do or say any thing to displease the bishop of the diocese, he can prevent him from being employed in any other diocese ; for no other

bishop will suffer him to be employed, unless he bring *testimonials* from his last bishop, and these testimonials may be refused, *without cause assigned*: so that the poor creature's mouth is actually locked up; he is doomed to certain ruin or to absolute submission to the will of his master-parson. There is no footman so completely dependent as one of these miserable men; and these are the men which this Established Church gives us for our *religious instructors*: these are the men, with whom the State furnishes us to keep us all in the fold, and to protect us against adopting strange and erroneous doctrines!

Another objection is, that if there were not men *set apart* by the State to teach religion, and supplied with incomes by the State for that purpose, the teaching of religion would fall into *low hands*; that the ministers of CHRIST would become a mere mundane race of men, hankering after "*the world and the flesh*;" and, Sir WILLIAM SCOTT, in his impudent speech, when he, as a member for the University of OXFORD, moved the passing of the before-mentioned Act of GEORGE the Third, 43rd year of his reign, chapter 84, which, as we observed before, *let the parsons loose*, insisted that it *was proper* that the clergy should *go to places of fashionable resort, and of pleasure*, with their families, seeing that, "*by the Reformation, they had been invited to marry.*" I must stop here to observe, that Sir JAMES GRAHAM, in his speech on Lord JOHN RUSSELL's motion regarding the IRISH TITHES, took occasion to utter an invective against the *celibacy* of the Roman Catholic clergy, and observed, that "*our Church denominated unmarried priests unholy priests.*" Now, then, let us see how the "REFORMATION" *invited* them to marry: now

let us see whether our Church holds *unmarried* priests to be *unholy* priests. After the *Reformation* had been made; after the new Church and the Prayer-Book had been enacted, an Act, (2nd and 3rd EDWARD the Sixth, chapter 21) was passed to "*take away all positive laws made against the marriage of priests;*" and upon what grounds was this act passed, and what did it say in its preamble? Why, this is what it said. "Although it were not only better for the estimation of priests, and other ministers in the Church of God, to live chaste, sole, and separate from the company of women, and the bond of marriage, but also, thereby they might the better intend to the administration of the Gospel, and be less intricated and troubled with the charge of Household, being free and unburthened with care and cost of finding wife and children, and that it were most to be wished, that they would willingly, and of themselves, endeavour themselves to a perpetual chastity and abstinence from the use of women: yet, forasmuch as the contrary hath rather been seen, &c. &c.;" and then the Act proceeds to *exempt them from pains and penalties*, if they do marry! And this is what SIR WILLIAM SCOTT called "*inviting them to marry;*" and this is what the learned doctor in divinity, SIR JAMES GRAHAM, calls the principle of our Church, that "*an unmarried priest is an unholy priest.*"

I have before noticed the arrogance and insolence of the clergy, at the time of the passing of the Act of 43rd George III. c. 84, which put an end to the informations against them, and which let them loose to ramble about as they liked, and to farm and to traffic. I have before observed on the advantage which they took of the violences committed in France. And SCOTT (now STOWELL,)

when he moved for this Bill, uttered these memorable words : “ Whilst we have seen in *other countries*, CHRISTIANITY SUFFERING in the persons of the oppressed clergy, it imposes a *peculiar obligation upon us*, to treat our own *with kindness and respect*, and to beware of *degrading religion* by an apparent degradation of its ministers !” What an impudent speech ! They had deserted their flocks : they had abandoned their parishes ; they had broken their solemn vows, and their solemn oaths ; they had abandoned the people committed to their charge, after having solemnly declared that they believed themselves to have been *inwardly moved by the Holy Ghost* to take upon them the office, “ to serve God for the promoting of his glory, and the edifying of his people ;” they set the law of the land at defiance, in the most daring manner ; and it was called “ *degrading religion*” to attempt to bring them back to their duty ! But, such was the hoodwinked, frightened, and cowed-down state of the nation at that time ; that this impudent speech passed without censure from any body ! Excellent, too, that Christianity had suffered in France, in the persons of the clergy of that country ; excellent and most impudent, to tell us that the *Roman Catholic* religion being put down caused *Christianity to suffer*, though the University, of which this SCOTT was the representative, and for whom he was talking, had, for three hundred years, taught us that that religion was *idolatrous and damnable* !

To return to the objection, that the teaching of religion would fall into low hands ; which objection we will take in the words of SCOTT : that, if there was an equalization of the Church-incomes, “ we should run the risk of having a body of clergy

resembling only the lower orders of society in their conversation, in their manners, and their habits; and it were well if they were not affected by a popular fondness for some of the species of a gross and factious religion." But, how could they well be lower than these miserable curates, if small incomes would make them low? And these miserable curates we have in the 16,000 parishes, where there are any ministers at all, excepting 5,379 parishes. How, then could the *voluntary principle* make them lower? And, appealing to the fact, are the Dissenting ministers lower now? Every one who knows any thing of the matter, will say that they are not; and, that, as to respect and reverence, every one knows, that all the settled Dissenting ministers have fifty times as much of these as falls to the lot of the parsons.

The Dissenting ministers are sometimes traders, at the same time; they are farmers, and dealers. And what are the parsons? Why, they are indeed most positively forbidden, by law, to be farmers and dealers; they were informed against for being such; there was the just law to punish them for it: they set that law at defiance: the boroughmonger Parliament repealed the law; quashed the informations against them; passed another law to *allow them to farm and to deal*. As cattle-jobbers; as dealers in cattle, sheep, hogs, and horses; as buyers and sellers of these, they are amongst the most eminent and the most busy in the country. Scarcely was that Act passed (43rd GEORGE III. chap. 84) to protect them against informations, and to allow them to farm and to job, when the BOTLEY-PARSON took, on lease, a considerable farm in his parish, called BRACKSALLS; though the glebe that surrounded his parsonage-house consisted of five fields

and a meadow of very good land ; and though his living was worth from five to six hundred pounds a year.

But, why need we waste our time in any statement to show, that this would necessarily be the case, when the public papers informed us of a bishop standing, as a *partner*, behind a banker's counter, at CAMBRIDGE, at the time of the panic, to pay the pressing customers, and to give his countenance in favour of the solvency of the house ? In the London Gazette of Friday, 30 January, 1835, was the following, under the head of *bankrupts* : "The Reverend THOMAS FISHER, Kingston-upon-Hull ; the Reverend JOHN FISHER, Hingham upon-the-Hill, Leicestershire ; and MARY SIMMONDS, of Ashby-de-la-Zouch, Leicestershire, BANKERS." These men have each of them a rectory in the Church ; and they both most solemnly vowed at the altar, that they would constantly attend to the people committed to their charge ; that they would *lay aside the study of the world and the flesh* ; and that they verily believed themselves to be inwardly moved by the Holy Ghost ; whereupon they solemnly ratified the same, by *partaking of the Holy Communion* ! If a banker is not a trafficker I should like to know what is. His business is that of money-changing, indeed. Very proper business for *other men* to carry on, provided they carry it on within the limits prescribed by the law ; but how are the people to have respect for a man who has made the vows that these men made, relative to the *world and the flesh* ; and who are seen afterwards carrying on a business, the sole object of which is that of making money ? These two men have large livings in the Church ; so that they have not been tempted by their poverty to break their vows.

One more instance of this sort will be quite enough. I find in the London *Gazette* of the 24 of March, 1835, a list of BANKRUPTS, with regard to whose estates dividends are to be made on the 16 of April; and, amongst these bankrupts is the following. "The *Reverend* S. W. PERKINS, STOCKTON, Warwickshire, *clerk*, BROKER; at twelve, at the George Inn, Warwick." Now, this holy *broker* is the rector of STOCKTON, in the diocese of LITCHFIELD and COVENTRY, and his rectory is a large living; and need there be more said on this part of the subject; can any Dissenting minister be lower than being a *broker* in the very town where his congregation resides; and within a stone's throw of the Church, to enter which, as a minister, he has professed that he believed he was inwardly moved by the Holy Ghost; in that very parish where he had promised to lay aside the study of the world and of the flesh, and to live as a wholesome example and spectacle to the flock of CHRIST! And this man a *broker*; a buyer and seller, purely for gain's sake; for no other purpose whatsoever but to get money! And yet SCOTT had the audacity to say, that the Act (43d GEORGE III. chapter 84) was necessary to prevent men in the Church from resembling the lower orders of society!

However, there is something a great deal worse than this; namely, the receiving of *military* and *naval* pay; or, rather, half-pay, and being in the Church at the same time. At the end of the war, great numbers of the aristocracy, their relations, and dependants, went into the Church. Every man of them professed at the altar, and took the communion, as a ratification of his profession, that he verily believed that he was inwardly moved by the Holy Ghost, to take upon him this new calling,

though so different from his last ! Every one thus solemnly pledged himself to lay aside the study of the world and the flesh. In spite of this, every one of them *took the half-pay, as being still naval and military officers !* And, now mark the conduct of them, and of the government ; the half-pay is a **RETAINING FEE FOR FUTURE SERVICES.** I beg you to mark this ; and this half-pay is very frequently taken away, merely by the king saying to the officer, that he has no longer any need of his services. If called upon to serve, and they refuse to come out to serve, their half-pay is taken away. It is the same with non-commissioned officers and private soldiers ; and I have just sent two memorials to the paymaster-general, in behalf of two private soldiers, who had their pensions taken away a good while ago. It is, therefore, you will observe, *not a reward for past services, but a retaining fee for future services.* What a flagitious act, then, to give these soldier-parsons half-pay, after they had got livings in the Church ! Mr. HUME complained of this, and I made a weekly exposition of the shameful transaction for a whole year, or thereabouts. At last the half-pay to these men was *stopped* ; but, now, do mark ; do mark, if you have a mind to know this government, and this Church. *A certain time was to be given before the half-pay was to be stopped ;* and (hear it, if you have ears !) before the day of stopping arrived, notice was given, that any officer *might SELL his half-pay, out and out !* and yet Sir JAMES GRAHAM tells us that the tithes do not belong to the people, but that *they belong to God ;* and he would tell us, I dare say, that these half-pay people were *appointed by God, to receive them for him !* One of these military heroes, who felt himself inwardly moved as afore-

said, was the Honourable Mr. NEVILLE, now LORD VISCOUNT NEVILLE, who was receiving, for about twelve years, tithes as a parson, and half-pay as a captain of horse ; and he is now vicar of BYRLING, rector of HOLVESTON, rector of BURGH APTON, and rector of OTLEY. And is he to have all these livings still? and is the Lord Viscount to keep the military half-pay that he got during the twelve years? If he be, I care not if England be sunk to the bottom of the sea.

What is any one to apprehend as the consequence of putting an end to a church like this? Can any thing arise more barefaced? Can any thing arise more offensive to the people? The LAW; these fellows always talk to us about the law; the law requires that the parsonage-houses, and the buildings belonging to them, shall be kept in good and sufficient repair; and that, if any incumbent suffer the parsonage-house to fall out of repair, he, if he quit that living for another, shall pay for dilapidations; that is to say, put the house in repair; and that if he die, his property shall be liable for the same; and the law expressly provides that the money which he or his heirs pay for dilapidations shall be expended upon the house. To what a scandalous extent this law has been set at defiance appears from a return which the bishops had the face to make to the king in council, in 1818, from which return it appears, that even out of the 10,421 benefices (almost every benefice containing more than one parish) there were 1,729 benefices *without any parsonage house at all*, and 1,422 parishes, in which the parsonage-houses were unfit to live in! And the bishops, knowing the law, as they must, had the face to make this report to the king in council! The *reasons* which the several parsons give for the

unfitness of the parsonage-houses are of themselves quite sufficient to authorize the parliament to abate this church by law. So much insolence, so much brazen effrontery, never was before shown by mortal men. One says, that "the parsonage-house is *too small*;" another, "not large enough for the accommodation of a *gentleman's family*;" another says, "*incommodious*;" another says, "*inconvenient*;" and they had the impudence to say this when they had obtained a letting loose from the law which bound them to reside in their parsonage-houses. The greater part of them, however, are represented as being in a ruinous state and irreparable; and the bishops tell us, that nearly two thousand of them have been suffered to fall down and disappear. The parsons have pocketed the tithes and other revenues of the parishes, and have suffered this great mass of national property to be annihilated; and if the Waterloo-delusion could have continued, if the great Captain's picture could have continued on the sign-posts, it would not have been at all wonderful if a second SCOTT had come to propose to the Parliament a grant of money to *rebuild these houses*. However, let us congratulate ourselves on the fact that these audacious men will never make another return like this: the effects of their Waterloo-war have overtaken them at last. Like a stag at bay, they are got up into a corner, looking from side to side but seeing no means of escape.

Amongst the evils of this church is that evil described by Lord BACON, who says, "A numerous married clergy, giving life to great numbers of idlers, or persons never to work, is *very dangerous to a State*, by creating mouths without creating a suitable portion of labour at the same time." Now

go to the Navy-list, go to the Army-list, go to the Taxing-offices, go to the government-offices, go to the military and naval Academies, go to the Pension-list, go to the great schools and the colleges, go to any of these swarms of idle devourers, and you will find that not much less than a full third part of the whole have either sprung from parsons, or married parsons' daughters; and *whence the parsons themselves have come*, let it be reserved for me to tell when I am in a place differing a good deal from a farm-house.

Well, then, what short of a total repeal of all the laws which create the revenue and powers of this mass of monstrous abuse can possibly be of any avail? What, short of adopting the voluntary principle: what, short of a separating of the Church from the State, can give satisfaction to the people, and peace to the country? **RELIGION!** How is religion to suffer; how is the religion of the Bible, how is the religion of JESUS CHRIST and his Apostles to suffer, by putting down these monstrous abuses, which exist by a misapplication of its sacred name? Can notoriously broken vows and broken oaths; can an open abandonment of the flock, after a vow made to watch constantly over it, and that too ratified by receiving the sacrament; can 1,496 parishes in the hands of 332 men; can these tend to the promotion of morality and religion; can it be the duty of any government to give even the slightest countenance to a thing like this? If there were danger of strange doctrines rising up, could a thing like this prevent it? If there were danger of heats and animosities, arising from differences of opinion about religion, could a thing like this produce reconciliation and harmony amongst the parties? If the people were prone to

infidelity ; if conceited Deism, or gloomy and half-mad Atheism, were likely to get a hold upon this at all times religious people, would a thing like this have a tendency to make it loosen its hold ? Would the Deist, or the Atheist, be reduced to silence, by having pointed out to him the bankrupt bankers, the bankrupt broker, the retaining-fee-receiving soldier ; all of them having at their ordination made a vow to lay aside the world and the flesh ! Would the Deist, or the Atheist, be silenced by seeing 332 men with 1,496 parishes in their hands, by seeing tithes paid where there was no church ; by seeing the parsonage-houses tumble down into ruins ; and lastly, by seeing bishops sitting in a commission to discover the means of providing for the cure of souls, while each of those bishops has given a plurality of livings to relations of his own !

On the other hand, look at the Dissenters ; see with what strictness and what decorum they perform their duties to their flocks. Look at the effect upon those flocks ; look at the personal attention of the ministers to individuals standing in need of their peculiar care. Look at their exertions ; look at their labours ; look at their unexceptionable moral habits and manners ; look at the respect that is paid to them ; look at the real affection for them ; turn then, and look at the clergy of the established Church, and at the feeling of the people towards them ; and then say if you can, that **RELIGION** would not be benefitted ; that it would not be, in its effect, much greater than now, if the voluntary principle prevailed, and if this Church were separated from the State. But there is the great **AMERICAN NATION**, where it is separated from the State, and where we are presented with successful experience to guide us.

Oh ! say they, you must not go to America ; and they told us in the House of Commons, that we must go to France, Prussia, Austria, and *Belgium* ! Belgium, where the king is our pensioner, who takes care to keep a house well aired at *ESHER* in Surrey. But why not to America ? The people there sprang from Englishmen. The people that settled New Hampshire went from *old* Hampshire ; and they called the place of their landing, *PORTSMOUTH*, and there they built a town, which goes by that name to this day ; and there is a Norfolk, a Suffolk, a Kent, a Sussex, and all the counties and all the towns of England and Wales. There are the laws of England ; the manners of England ; the language of England ; the Winchester bushel ; the statute acre : there is the learning and literature of England. There are all our books ; and this book that I am writing now, will only appear six weeks later in *NEW YORK* than it will appear in London. This, then, is the country to go to for a test of the effect of the voluntary principle. There the law knows nothing at all about religions, one sort or another ; and it never did know anything about religion, except in that part of the States called New England. There was a law there, somewhat resembling the law of England in the early period of the institution of tithes. This law compelled every man to yield tithes, but to yield them to *whatever priest he chose*. So, in New England, every man might pay towards the support of what sect and what place of worship he liked ; but he was compelled by law to pay to *some one*. In 1816, however, all these laws were repealed in New England ; and since that, in that country, the law has known nothing of religion, any more than it has known of the conduct of the birds

and the bats. Yet in this whole world was there ever a country, in which such complete peace and harmony prevailed! Never is such a thing heard of, as a quarrel of one religious sect against another. In social intercourse; in the courts of law; in the choosing of officers, political or municipal; in legislative assemblies; in the senate; on the bench; in the army; in the navy; church-man, Roman Catholic, Presbyterian, Baptist, Methodist, Unitarian, Independent, all mix together, without a suspicion in any man's mind, that his cause, in the case of any dispute, is safer in the hands of persons of his own sect, than in those of the persons of any other sect. Here, then, is *the precedent* upon which for us to stand: here is solid ground for us to move upon; and let no statesman in England imagine that this example can be exhibited to our eyes *for many years longer*, without goading us on to imitation.

The surprising progress in wealth, power, arts, arms, science, and prosperity of the United States, is *silently* producing an effect on all the nations of Europe; but particularly on England. It is another England, at only twenty days distance; and it is impossible; not only morally, but almost physically, impossible, that this England should view the state of that other England, for any length of time, without resolving to be its rival in freedom and in happiness, and particularly on the score of freedom as to religion. Our aristocracy, (never deficient in low cunning, and in spite) saw, at the close of the French war, the final effect of the example of the United States upon England. This was the real ground of that war which JACKSON ended at NEW ORLEANS, and which heroic and bullet proof WATERLOO took care not to have a hand

in ; that war, which added seventy millions to our debt, and which first told us the unwelcome secret, *that we had found out somebody to beat us at last*; and beat us they will, in every thing, unless we resolve to imitate them *in cheapness of government*, and in a *religion unknown to the laws*; and, if there were no other motive for resorting to these, we shall be compelled to resort to them in self-defence.

Having now shown what this thing called "CHURCH AND STATE" is; and having proved, I trust, most satisfactorily, that a separation of the one from the other, is not less necessary to the inculcation of true religion, than it is to the freedom, the peace, and the well-being of the Commonwealth, I should here lay down my pen; but I must, in conclusion, just notice the curious principle, which I hear many men, to my great surprise, accede to without difficulty; namely, that though it is just and expedient to *put an end* to the monstrous abuses of which I have been speaking, "*existing interests*" are not to be touched; that is to say, that all those who are wallowing in the fruits of the abuses, are therein to wallow to the *end of their lives*. So that while "*pluralities are to be put an end to*," and a *residence is to be insisted on*, the young fellows (and there are scores upon scores of them,) each of whom has four or five parishes now; and these scores and other scores, and hundreds, who are now *non-residing*, are to continue to possess their parishes, and to non-reside, to the *end of their lives*, leaving to the nation a pretty fair chance of seeing something like a reform effected in about *three-score years from this day*! Oh, no, let us, in this respect, take a leaf out of the book of the Church itself: let the law do by these par-

sons as it did by the Catholic priests ; that is to say, as to *method* ; but not in degree. They were left to wander over the face of the earth, miserable mendicants, with the mere mockery of a pension : let us be merciful ; and make suitable provision for such as shall think proper to refuse to perform the duties in the churches on the voluntary principle : and, I have long thought that this would be the end ; and the conviction in my mind is now more firmly fixed than ever.

Parsons, thus I conclude : *I call upon you to answer this book.* That you will not attempt to do ; but the minds of my readers will be made up, and the just conclusion will be, that you are unable to answer.

THE ACT OF PARLIAMENT BY WHICH THE CHURCH WAS MADE.

2 AND 3 EDWARD THE SIXTH, CHAPTER I.

An Act for the Uniformity of Service and Administration of the Sacraments throughout the Realm.

WHEREAS, of long time, there hath been had in this realm of *England*, and in *Wales*, divers Forms of Common Prayer, commonly called the Service of the Church, that is to say, the use of *Sarum*, of *York*, of *Bangor*, and of *Lincoln* ; and besides the same, now of late much more divers and sundry forms and fashions have been used in the cathedral and parish churches of *England* and *Wales*, as well concerning the Mattens or Morning Prayer and the Evensong, as also concerning the Holy

Communion, commonly called the Mass, with divers and sundry rites and ceremonies concerning the same, and in the administration of other Sacraments of the Church : And as the doers and executors of the said rites and ceremonies, in other form than of late years they have been used, were pleased therewith : So other not using the same rites and ceremonies were thereby greatly offended : And Albeit the King's Majesty, with the advice of his most entirely beloved uncle, the Lord Protector, and other of his Highness Council, hath heretofore divers times assayed to stay innovations or new rights concerning the premisses ; yet the same hath not had such good success as his Highness required in that behalf ; whereupon his Highness, by the most prudent advice aforesaid, being pleased to bear with the frailty and weakness of his subjects in that behalf, of his great clemency hath not been only content to abstain from punishment of those that have offended in that behalf, for that his Highness taketh that they did it of a good zeal ; but also to the intent a uniform quiet and godly order should be had concerning the premisses, hath appointed the Archbishop of *Canterbury*, and certain of the most learned and discreet bishops, and other learned men of this realm, to consider and ponder the premisses ; and thereupon having as well an eye and respect to the most sincere and pure Christian religion taught by the Scripture, as the usages in the primitive Church, should draw and make one convenient and meet Order, Rite, and Fashion of Common and open Prayer and Administration of the Sacraments, to be had and used in his Majesty's realm of *England* and in *Wales* ; the which at this time, by the aid of the *Holy Ghost*, with one uniform agreement is of them concluded, set forth and de-

livered to his Highness, to his great comfort and quietness of mind, in a book intituled, *The Book of the Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, after the Use of the Church of England*. Wherefore the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, considering as well the most godly travel of the King's Highness, of the Lord Protector, and of other his Highness Council, in gathering and collecting the said Archbishop, Bishops, and learned men together, as the godly Prayers, Orders, Rites, and Ceremonies in the said book mentioned, and the considerations of altering those things which he altered, and retaining those things which he retained in the said book, but also the honour of God and great quietness, which, by the grace of God, shall ensue upon the one and uniform Rite and Order in such Common Prayer and Rites and external Ceremonies to be used throughout *England* and in *Wales*, at *Calice* and the Marches of the same, do give to his Highness most hearty and lowly thanks for the same. And humbly prayen that it may be ordained and enacted by His Majesty, with the assent of the Lords and Commons in this present Parliament assembled, and by the authority of the same, that all and singular person and persons that have offended concerning the premisses, other than such person and persons as now be and remain in the Tower of *London*, or in the Fleet, may be pardoned thereof; and that all and singular ministers in any Cathedral or Parish Church, or other place within this realm of *England*, *Wales*, *Calice*, and the Marches of the same, or other the King's dominions, shall, from and after the Feast of *Pentecost* next coming, be bounden to say and use the

Mattens, Evensong, Celebration of the Lord's Supper, commonly called the Mass, and Administration of each of the Sacraments, and all their common and open Prayer, in such order and form as is mentioned in the same book, and none other or otherwise. And albeit that the same be so godly and good, that they give Occasion to every honest and conformable man most willingly to embrace them, yet, lest any obstinate person, who willingly would disturb so godly order and quiet in this realm should not go unpunished, that it may also be ordained and enacted, by the authority aforesaid, That if any manner of Parson, Vicar, or other whatsoever Minister, that ought or should sing or say Common Prayer mentioned in the said book, or minister the Sacraments, shall, after the said Feast of *Pentecost* next coming, refuse to use the said Common Prayers, or to minister the Sacraments in such Cathedral or Parish Church, or other places as he should use or minister the same, in such order and form as they be mentioned and set forth in the said book; or shall use, wilfully and obstinately standing in the same, any other Rite, Ceremony, Order, Form, or manner of Mass, openly or privily, or Mattens, Evensong, Administration of the Sacraments, or other Open Prayer than is mentioned and set forth in the said book (Open Prayer in and throughout this Act, is meant that Prayer which is for other to come unto or hear, either in common Churches or private Chapels or oratories, commonly called the Service of the Church;) or shall preach, declare, or speak any thing in the derogation or depraving of the said book, or any thing therein contained, or of any part thereof; and shall be thereof lawfully convicted according to the laws of this realm, by verdict of twelve men, or by his own confession, or by the no-

torious evidence of the fact, shall lose and forfeit to the King's Highness, his Heirs and Successors, for the first offence, the profit of such one of his spiritual benefices or promotions as it shall please the Kings Highness to assign or appoint, coming and arising in one whole year next after his conviction: And also that the same person so convicted shall, for the same offence, suffer imprisonment by the space of six months, without bail or mainprise: And if any such person once convict of any such offence concerning the premisses, shall, after his first conviction, eftsoons offend and be thereof in form aforesaid lawfully convict, that then the same person shall for his second offence suffer imprisonment by the space of one whole year; and also shall therefore be deprived *ipso facto* of all his spiritual promotions; and that it shall be lawful to all patrons, donors, and grantees, of all and singular the same spiritual promotions, to present to the same any other able clerk, in like manner and form as though the party so offending were dead: And that if any such person or persons, after he shall be twice convicted in form aforesaid, shall offend against any of the premisses the third time, and shall be thereof in form aforesaid lawfully convicted, that then the person so offending and convicted the third time, shall suffer imprisonment during his life. And if the person that shall offend and be convict in form aforesaid concerning any of the premisses, shall not be beneficed nor have any spiritual promotion, that then the same person so offending and convict shall, for the first offence, suffer imprisonment during six months, without bail or mainprise: And if any such person not having any spiritual promotion, after his first conviction, shall eftsoons offend in any thing concerning the premis-

ses, and shall in form aforesaid be thereof lawfully convicted, that then the same person shall, for his second offence, suffer imprisonment during his life.

And it is ordained and enacted by the authority aforesaid, that if any person or persons whatsoever, after the said Feast of *Pentecost* next coming, shall, in any enterludes, plays, songs, rhimes, or by other open words, declare or speak any thing in the derogation, depraving or despising of the same book or of any thing therein contained, or any part thereof; or shall by open fact, deed, or by open threatenings, compel, or cause, or otherwise procure or maintain, any Parson, Vicar, or other Minister in any Cathedral or Parish Church, or in any Chapel or other place, to sing or say any common and open prayer, or to minister any Sacrament otherwise or in any other manner or form than is mentioned in the said book; or that, by any of the said means, shall unlawfully interrupt, or let any Parson, Vicar, or other Ministers, in any Cathedral or Parish Church, Chapel, or any other place, to sing or say common and open Prayer, or to minister the Sacraments, or any of them, in any such manner and form as is mentioned in the said book: That then every person being thereof lawfully convicted in form abovesaid, shall forfeit to the King, our Sovereign Lord, his Heirs and Successors, for the first offence ten pounds. And if any person or persons, being once convicted of any such offence, afterwards offend against any of the premisses, and shall in form aforesaid be thereof lawfully convict, that then the same persons so offending and convict, shall for the second offence, forfeit to the King, our Sovereign Lord, his Heirs and Successors, twenty pounds: And if any person, after he in form aforesaid shall have been twice convict of any offence

concerning and of the premisses, shall offend the third time, and be thereof in form abovesaid lawfully convict, that then every person so offending and convict shall for his third offence forfeit to our Sovereign Lord the King all his goods and chattels, and shall suffer imprisonment during his life. And if any person or persons, that for his first offence concerning the premisses shall be convict in form aforesaid, do not pay the sum to be paid by vertue of his conviction, in such manner and form as the same ought to be paid, within six weeks next after his conviction; that then every person so convict, and so not paying the same, shall, for the first offence, instead of the said ten pound, suffer imprisonment by the space of three months without bail or mainprise. And if any person or persons, that for his second offence concerning the premisses shall be convict in form aforesaid, do not pay the sum to be paid by vertue of his conviction, in such manner and form as the same ought to be paid within six weeks next after his said second conviction; that then every person so convicted, and not so paying the same, shall, for the same second offence, in the stead of the said twenty pounds, suffer imprisonment during six months, without bail or mainprise.

N. B.—*The rest of the Act consists of the technical matters as to the execution thereof.*

THE END.

COBBETT'S
LEGACY TO LABOURERS ;

OR,

WHAT IS THE RIGHT WHICH THE LORDS, BARONETS, AND 'SQUIRES, HAVE
TO THE LANDS OF ENGLAND ?

N SIX LETTERS,

ADDRESSED TO THE WORKING PEOPLE OF ENGLAND

WITH

A DEDICATION TO SIR ROBERT PEEL, BART

BY WILLIAM COBBETT, ESQ. M. P.

FOR OLDHAM.

NEW YORK :

D. & J. SADLIER,

52 Gold Street.

1845.



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DEDICATION.

TO SIR ROBERT PEEL, BARONET.

Wolseley Hall, 10 Dec., 1834.

SIR,

DEDICATIONS are, generally, things of a very unmeaning character. Whatever this may be in other respects, it shall not be without a meaning : it shall state to you, without flattery and without rudeness ; FIRST, my reasons for writing and publishing this book ; and, SECOND, my reasons for dedicating it to you.

My reasons for writing and publishing this book are these : it has always been my wish, that the institutions of England and her fundamental laws should remain *unchanged*. Not that I was unable to discover, in the order of nobility, and in the circumstances connected with that order ; in the distribution of the immense property of the church ; in some other really properly called *institutions* of the country, things which I could have wished to be otherwise, than to be as they were : but there was so much of good in the institutions which we inherited from our fathers, that I always looked at any change in them with great apprehension. But, with regard to the *innovations* on those institutions ; with regard to the monstrous encroachments of the aristocracy and of the usurers, within the last fifty years especially, it was impossible for me not to

wish for a change, and as impossible for me not to resolve on assisting in effecting that change, if it were to be effected. It was impossible for me to look at the new treason laws, new felony laws, Bourbon-police laws, laws violating the compact between the people and the clergy, new and multiplied laws hostile to the freedom of the press, hundreds of acts of parliament, subjecting men's persons and property to be disposed of, to a certain extent, without trial by jury; the monstrous partiality in taxation; a standing army in time of peace, greater than was ever before needed in time of war; new crimes in abundance, created by act of parliament; new punishments for old crimes; employment of spies justified in the Houses of Parliament, or, at least, no punishment inflicted on any one for being a spy, or for having employed spies.

It was impossible for me to behold these things; to hold a pen at the same time, and to know that a good many of my countrymen were ready to read what I wrote; it was impossible for me to be thus situated, and not exert myself in an endeavour to put a stop to these encroachments, and to bring my country back to something like the government which existed when I was born; to put a stop to the Bourbon innovations, and to bring England back again to English government.

I was in hopes that the "*Reformed Parliament*" would, at once, have set to work to sweep away these innovations. Not only did it not do this, but it set itself to work to add to them in number, and to enlarge those that already existed. I pass over twenty instances of this, and come to that great and terrible innovation, the POOR-LAW BILL. Long before I was in parliament, I saw the deep-laid scheme gradually preparing for execution. When it was

matured and brought before us, I opposed it with all my might. I did every thing that I could do to prevent it from being passed.

In this case how stood the matter? There was a proposition to abrogate (though not by name,) in effect, those rights of the poor which had always existed, since England had been called England; which rights had been so solemnly recognised by the Act of the 43d of ELIZABETH; which act had existed upwards of two hundred years, and which had seen, during its existence, the most orderly, the most independent, yet the most obedient; the best fed and the best clad, and, at the same time, the most industrious, and most adroit working people that ever lived upon the face of the earth, being, along with these qualities, the best parents, the best children, the most faithful servants, the most respectful in their demeanour towards superiors, that ever formed a part of any civil community.

And, sir, what was THE GROUND stated for abrogating this law; for uprooting the old and amiable parochial governments of England? What was the ground stated for the doing of this thing; for the sweeping away of this government, carried on by neighbours for their mutual good and happiness; what was the ground stated for the tearing to pieces of this family government, and subjecting thirteen thousand parishes to the absolute will of three commissioners, stuck up in London by the servants of the king, and removeable at their pleasure? Why, the grounds were as follow, as stated by the Lord Chancellor, who was backed by Lord RADNOR and by the Duke of WELLINGTON, and a majority of the two Houses, you, sir, being in the majority of one of those Houses.

There were many pretences urged; many asser-

tions made ; but the main ground, which, like the rod of AARON, devoured all the rest, was, that, *if this Bill were not passed, the poor-rates would soon swallow up the estates of the lords and the gentlemen ;* and that it was necessary to be passed, in order to save their estates ; for that, unless it were passed, there was *no security for property.*

Often as I have disproved these assertions ; often as I have shown that the increased amount of poor-rates has not been so great, nor any thing like so great, as the increased amount of rent and taxes. Often as I have shown that the inevitable tendency of the Bill is, to bring down the farmers and labourers of England to the state of those in Ireland ; often as I have shown these things, I must show them again here ; because I intend this little book to go into every parish in this whole kingdom ; and to be in all the industrious classes (who alone give strength to the country, and who furnish the rich with all their riches,) the **YOUNG MAN'S BEST, MOST USEFUL AND MOST FAITHFUL COMPANION.**

With regard to the increase of the poor-rates, and their capacity of *swallowing up estates* ; this charge against the working people of England, is, as I am about to show, as false as that of the filthy Elders against SUSANNAH ; or, which is more a case in point, as false as the charge of the she-devil JEZEBEL against NABOTH. The poor-rates, by all the liars of the new poor-law scheme, are made to amount to upwards of *eight millions* a year ; but the return laid before us in Parliament has that much of honesty in it to take off two millions and more, and ascribe them to other heads of local expenditure, stating to us that the sum expended *on account* of the poor, amounts to six millions seven

hundred thousand pounds a year. From this we are to deduct what is laid out on *law*, on *hired overseers*; on things invented for the purpose of *punishing* the poor; and, besides these, there are the sums expended on account of "*Irish and Scotch vagrants*;" so that, even these expenses, which arise out of a want of efficient poor-laws in Scotland, and out of a want of any poor-laws in Ireland, are laid to the charge of the slandered working people of England! As much pains as possible are taken to confuse these accounts; but I venture to say, that, if the House of Commons do its duty and get to the bottom of this matter, it will be found that not more than four millions out of the eight millions of pounds, are *actually received by the poor*; and that a very considerable part of that is required to maintain the wives and children of men imprisoned or transported, for the sole purpose of securing the enjoyment of the *pleasures of the rich*; that is to say, for killing, or being in pursuit of, those wild animals, which, as I shall have to show in the course of this book, the law of nature, the laws of God, and the fundamental laws of England, declare to be the *common property of all mankind*.

But, taking the matter upon the showing of these confused, unsatisfactory, and really false accounts, recently presented to us; taking it to be true that the poor cost six millions seven hundred thousand pounds a year; taking it to be true that these accounts are correct, are we to suppose that the poor-rates were to be stationary, while *rents* and *taxes* were augmented ten or twenty fold? I might mention the *increase of population*, if I had a mind to avail myself of it; but knowing that to be a prodigious national lie; knowing that England and

Wales were, fifty years ago, upon the whole, more populous than they are now, or, at least, fully as populous, I leave that lie for the use of the “Society of Useful Knowledge;” and confine myself to *rents* and *taxes*. With regard to rents, it is notorious that they are twice as high as they were forty-four years ago; and, pray, why are not the poor-rates to increase in the same proportion? Why should not the poor be more costly, as the landlord’s income has become greater? But, it is the *taxes* that make the curious exhibition when compared with the poor-rates. The following figures, stating the amount of the rates, in the reign of JAMES the Second; in the year 1776; in the year 1789; and in the year 1833, ought to be familiar to every man who takes upon himself the office of being an adviser of the king. I will waive all that I have said about the falsehood of the statement of expenses imputed to the poor, and will suppose the poor to have cost last year six millions seven hundred thousand pounds; and then the comparative statement of poor-rates and taxes will stand as follows: I just observing here, that, as to the *government taxes*, the statement here includes the taxes of the *three kingdoms*, I being unable to separate them by the means of any documents that I possess. Five sixths of the whole are, indeed, raised in England and Wales; but this is no matter with regard to my present purpose, the proportion being as true as if the amount paid by each of the kingdoms could be ascertained. Thus, then, stands the matter.

	POOR RATES.	GOVT. TAXES.
	£	£
Reign of James II.	160,000	1,300,000
1776	1,496,906	8,000,000
1789	2,250,000	16,000,000
1833	6,700,000	52,000,000

Ought not the insolent calumniators of the industrious classes of England to blush at the sight of this? Ought not these impudent and unfeeling men to think a little of the consequence of their thus wantonly calumniating this laborious people, and calling them "idle and sturdy vagabonds?" Must it not be evident to every one, without going into particular instances or illustrations, that the increase of poor-rates has arisen from the increase of rents and the increase of taxes; and not at all from any defect in the poor-laws, nor from any defect in their administration by overseers and magistrates? How comes it that they never produced all this mass of evil attributed to them, in the course of two hundred years? And how comes it that they produce no such evils now, in the untaxed United States of America?

It is true, that the nation is burdened, even to the breaking of it down: it is true that the farmers are ruined by prices equal to the prices of forty years ago; but, are they ruined by the six millions (allowing it to be the six millions;) or, are they ruined by the fifty-two millions? It is also true that a very large part, and the greater part, of landlords are upon the point of utter ruin; but have they been ruined by the six millions, or by the fifty-two millions? Have they been ruined by the poor rates; or by the expense of the standing army in time of peace; by the pensions, sinecures, grants and allowances, half-pay, amounting altogether to between six and seven millions a year; and by the thirty millions a year paid to the usurers, more than doubled in real amount by the passing of your bill?

Monstrous! Stupendous stock of impudence, even in a half-drunk mountebank, to pretend, that the ruin has arisen from the working people! It

has been established for fact, that a hundred and thirteen of your brother privy-councillors, not including bishops or royal family, swallow up *six hundred and fifty thousand pounds a year* out of the taxes; a sum equal to the aggregate amount of the poor-rates of Bedfordshire, Berkshire, Buckinghamshire, Huntingdonshire, Cumberland, Monmouthshire, Rutlandshire, Westmoreland, and another county or two into the bargain! Yet this is nothing; this is no swallowing up! We vote every year a sum of money to be sent to Hanover, to be given to half-pay officers and their widows and children there, equal to the poor-rates of Cumberland and Westmoreland! There were grants *to augment the livings of the clergy in England*, to the amount of the poor-rates for one year of ten counties in England, standing the first on the alphabetical list. We have just voted, to be given to lords, baronets, and 'squires, to induce them to free their slaves in the West Indies, as much money as would keep the poor of England and Wales for *five years*? All these are not "*swallowings up*," I suppose; but the working people know that they are *swallowings up*; and that they themselves are compelled to pay the far greater part of these sums out of the fruits of their labour.

One's blood boils at the bare statement of these undeniable facts. But this is not doing half justice to the working part of the community. The amount of the poor-rates; the amount of what the poor receive in case of necessity, is swelled up and trumpeted about all over the kingdom. The atrocious lie of EIGHT MILLIONS is as current in Ireland, as if communicated by a King's proclamation. But, while this atrocious lie is trumpeted about, great care is taken not to say a word about *what the*

working people pay! Yet how large a part of the fifty-two millions, how very large a part, do *they pay*, out of the fruit of their labour! Their *drink*, raised by their own hands in their own country, pays a tax of *two hundred per cent.*, while the drink of the rich, produced in other countries, pays a tax of only *twenty-one per cent.*! The malt-tax alone, to say nothing of the hop-tax, costs, including the monopoly arising out of the tax, not less than twelve millions a-year, falling upon the shoulders of the working people alone, and on those of tradesmen and farmers. A drunken mountebank would have them use "**COARSER FOOD**," and, perhaps, drink water. I know one mountebank, well loaded with public money, who says that beer is "*a luxury*, and not a *necessary of life*." This queer mountebank seems to forget, that, if there were no beer, there could be no malt-tax, and that then there would be nothing to pay his pensions and his jobbings with! The working people pay the far greater part of the taxes out of their wages, and the beastly Malthusian philosophers would take away the wages, and yet have the taxes! Ah, sir! it is a puzzler! It really does seem as if the *expunging* of my RESOLUTIONS against you was not the last piece of expunging which we were destined to behold.

So much, sir, for the swallowing up of estates by the poor-rates. But, the minister told us, and so told us my Lord RADNOR, that the bill was wanted *to relieve the farmer*, and that the farmers and tradesmen were *very anxious to have the bill passed!* It is very curious that none of these petitioned for the bill, while, as you well know, thousands of them petitioned against it. This is curious enough, to begin with. But, if we had had time given us

before we had passed the bill in our house, we should have found evidence of the following facts :

1. That the poor-law commissioners sent a circular into all the counties of England and Wales, addressed to lords, baronets, 'squires, parsons, overseers, and great farmers, whom they *selected*, as persons likely to suit their purpose.
2. That this circular contained the following two questions: FIRST, "Has agricultural capital increased, or diminished, in your neighbourhood?" Second, "Do you attribute such increase or diminution to any cause connected with the poor-laws, or their mal-administration?"
3. That these questions were addressed to 1717 persons; and that out of these, there were only SEVEN who did not say, that the agricultural capital *had diminished*,
4. But that, out of the 1717, *four hundred and one* said, that the cause *was not at all connected with the poor laws*, or the administration of them, *eleven hundred and twenty-nine* assigned *other causes*, wholly unconnected with the poor-laws, for the decrease of agricultural capital, while only *a hundred and fifty-nine*, out of the 1717, had the hardihood to say, that the poor-laws, or their administration, *had been the cause of the decrease*; and, even of these hundred and fifty-nine, fourteen were *anonymous*, and one was MAJENDIE, the poor-law-runner; and one of the anonymous was certified to be good by BLOMFIELD, Bishop of London, one of the poor-law commissioners; and further, that, amongst the *seventeen-hundred and ten* who said that the agricultural ca-

pital had decreased, but that the decrease was not at all to be ascribed to the poor-laws or their administration, was my Lord RADNOR himself; though this very lord supported this bill on the ground that it was wanted *to relieve the former*.

5. That a great number of the persons who answered these questions, particularly farmers, said that the poor-rates were *no burden to the former*; for that, if they did not pay the money in rates to the poor, they must pay the same amount in *additional rents* to the landlord.
6. That, from the parish of BROADWAY, in Worcestershire, the enlightened Bishops of London and Chester, and those paragons of light, STURGES BOURNE, SENIOR, COULSTON, and BISHOP, and penny-a-line CHADWICK; from the parish of BROADWAY, in Worcestershire, these men got the following answer: "Agricultural capital *is diminishing*; but not on account of the poor-laws, which rather *tend to keep capital in the parish*; but because the great landowners spend less in the parish, by carrying the great bulk of their incomes annually to London, where it accumulates in the hands of usurers, stock-jobbers, and the like, and consequently does not return to the parish."

Now, sir, how came we, of the House of Commons, to pass the bill with this evidence even of these poor-law-fellows before us? Was it not a shame for us to read this bill a second time, having this evidence before us? It is but justice to those who supported this bill to put upon record the fact; that the bill had gone through the committee, be-

fore the whole of this evidence was delivered to any of us! The majority of the House were committed by their votes long before they could possibly see this evidence! And let my LORD ALTHORP, who is now a peer, take into his hands all the credit due to this transaction, and parcel it out in due proportions amongst himself and his colleagues.

Thus far we discover no *real ground* for the passing of this bill. We see that the *amount* of the poor rates could not possibly be believed to be calculated to swallow up the estates; we see that, if the workhouse dress, and separating of husband from wife, and children from parents; we see that this PARSON LOWE system, so highly eulogized by LORD RADNOR, though a man had been condemned to death at NOTTINGHAM, for having fired PARSON LOWE'S stacks in revenge for being compelled to submit to his system; we see that even the complete success of this system, which COWELL, the poor-law runner, tells us that this "*excellent clergyman*" adopted for the purpose of rendering "the obtaining of relief as *irksome* as possible;" we see, that even this horrible system, though it should be attended with complete success, could not have "*spared the estates*" to a greater amount than about four millions a year. We see that the farmers shuddered at the thought of the new poor-law project, which they all said could *do them no good*: and the petitions told us that the great towns held it in abhorrence. We see, then, that the ground, the *alleged ground*, for the passing of this bill, could not be the *real ground*; or, if it were, that it was the fruit of foolishness; pure fool-like meddling and projecting.

To the Searcher of hearts only can men's motives be known, except by confession, or by colla-

teral or circumstantial evidence. I will, therefore, not attempt to assert what were the motives of the projectors and pushers-on of this bill ; or the motives from which it was supported by the Duke of WELLINGTON, by Lord RADNOR, by you, and other great landlords. I should not think it just to impute motives which I cannot substantiate by proof. I will say, therefore, nothing about the *motives* to the projecting and pushing on of this measure ; but I will say plenty about the *natural and inevitable tendency of the measure* ; first, however, stating a circumstance to the truth of which there is a whole House of Commons full of witnesses, and which is as follows :

1. That, during my opposition to the bill, I positively asserted, that printed instructions were given to the barrister who drew the bill ; that these instructions told him that it was intended to erect about *two hundred workhouses* for the whole of England and Wales ; that they also told him, that one thing desirable to be accomplished was, to bring the people of England to live upon a *coarser sort of diet*.
2. That I moved for the laying of these instructions upon the table of the House ; and that the minister and his majority rejected the motion.
3. That neither Lord ALTHORP, nor any other man in the House, said one single word *in contradiction to my statement*.

A change of circumstances now enable me to say, that I had SEEN the instructions.

Now, then, as to the TENDENCY of the bill, if it were put into execution ; in the first place, it gives the landlords, and especially the great landlords, all the real power in every vestry in the kingdom.

The bill continues that Act of STURGES BOURNE, which destroyed the old English law; that law which gave *one* vote and *no more* in the vestry to every rate payer. It retains this Act of STURGES BOURNE, which gave *one vote for every fifty pound rate*, as far as *six* votes to some men, while others had only one. The new bill retains this Act; and, then, in the case of a farm of 300*l.* a year, for instance, it gives only *one vote* to the tenant, and *six votes* to the landlord; and then it authorizes the landlord to vote by *proxy*; that is, to send his agent, or attorney, or footman, or groom, or shoe-black, or scullion, to vote for him, while he himself keeps out of sight, and is, perhaps, spending his rents in France or Italy. Devil take the farmers for stupid dolts, if my Lord RADNOR does not make them perceive, that this bill was intended for **THEIR** benefit! They must, indeed, be of the earth, earthy, if they do not see that my Lord RADNOR and his Scotch friend; his "*old friend and fellow-labourer*," as the gentleman of the BIRD'S NEST called himself; doltish devils, indeed; dull as the clods of their own fields; sappy as the "*rank weed that rots on LETHE'S wharf*," not to perceive that this bill was intended to enhance **THEIR** interest and respectability!

Well, sir, let us leave these stupid fellows then, whom my Lord RADNOR wished to benefit, by taking the collection and distribution of their money out of their own hands, and giving them to the landlords themselves, (kind gentlemen!) in conjunction with FRANKLAND LEWIS, LEFEVRE, NICHOLL, with penny-a-line-CHADWICK for their secretary, and with a Mr. A'COURT, a COLONEL, and a RELATION OF LORD RADNOR, for a runner. Let us leave the stupid farmers, who have not the brains

to set a right value upon this act of "paternal kindness;" and let you and I, sir, take a look at the natural and inevitable tendency of this bill.

It authorizes the commissioners, FRANKLAND LEWIS and Co., to order parishes to be united to a great extent; to cause great thundering workhouses to be erected; to command relief to be refused to all persons, except on condition of coming into the workhouses; it takes away the power of the overseer and of the magistrate to give relief, without the sanction of two-thousand-a-year LEWIS and Co. communicated to the parties, doubtless, by penny-a-line CHADWICK, the secretary; it sets no bounds to the power of these commissioners with regard to the refusing of relief; it empowers them, if they choose, to enforce most rigorously the system of Parson LOWE, of the parish of BINGHAM, in Nottinghamshire; that is to say, if a man with a family, should break his leg, or should be unable to find work, to make him come into the workhouse, which may then be at forty or fifty miles from his home; there to have his own clothes stripped off, and a workhouse dress put upon him; and to cause his wife and children to be treated in the same manner; to separate man and wife completely, day and night, and never let them see one another; to separate the children from the parents, and never let them see one another; to suffer no friend, no relation, to come to speak to either, though upon their dying beds; there being, observe, the *Dead Body Bill* still in force, which was supported by Lord RADNOR and the BISHOP OF LONDON, which Bill will authorize the keeper of the workhouse, who may be a negro-driver from JAMAICA, or even a NEGRO, to dispose of the body to the cutters-up, seeing that it cannot be claimed by the kindred of

the deceased, they not being allowed to come into the workhouse !

All this, two-thousand-a-year LEWIS and his brace of associates, and penny-a-line CHADWICK, *may do, if they like*, in consequence of this Act. But *will they do it?* Will the ministers turn them out, if they do do it? Why should they? In the first place, in the reports of the brace of Bishops and their colleagues, this system of Parson LOWE is eulogized to the skies; in the next place, this report relative to Parson LOWE was, amongst others, laid before Parliament a year before, in order to pave the way for the introduction of this bill. Then, again, Lord RADNOR, in urging the second reading of the bill, said, that, if there were "a REVEREND Mr. LOWE in every parish of England, *the bill would be unnecessary.*"

If this be not enough to convince us, that those who brought in, and who pushed on, and who approved of, this bill, would applaud the commissioners for thus acting upon Parson LOWE's system, I know not what would be enough. However, it is quite sufficient for me to know, and for the people to know, that the bill *empowers* LEWIS and Co. to act thus.

One of Parson LOWE's objects, as related to us by the poor-law runner, COWELL, was, to make it so *irksome* and *painful* to obtain any relief, as to prevent people from applying for it, though on the point of starvation; certainly, the Parson could not have adopted means more efficient than those I have described, and which are merely copied from the report of COWELL, the runner; and the parson got a *man from a distance* to be the keeper of his house; a man unacquainted with the parish; and penny-a-line CHADWICK, in his runner's report, strongly recommends the getting of *strangers* to

be keepers; *firm* men, NOT TO BE MOVED BY DISTRESS, WHETHER FEIGNED OR REAL! Are we in *England*? or are we in *hell*, while we are reading this! At any rate, wherever we are, it is very certain, that DEATH will be preferred, at any time, to the receiving of relief on conditions like these; and, the risk of death, Parson LOWE has experienced, will be preferred to the receiving of relief on such conditions; for, only about seventy-five days before Lord RADNOR was *regretting* that there was not "a REVEREND Parson LOWE in every parish of England," the parson's own *corn stacks had been fired* by a man, to whom these conditions had been tendered as the price of relief! This was a single man, too, and a man of *excellent character*; and he openly avowed that he set the fire, and that he wished the parson and his hired overseer had been in the middle of the burning stack, because he refused him relief without submitting to these conditions, which Lord RADNOR regretted "were not established in every parish in England."

The inevitable effect of a system like this, supposing it to produce *resistance of no sort*; of which I shall not speak. I shall speak of the Act as a thing universally submitted to, and established throughout England and Wales; and the first consequence inevitably would be, that nobody, except poor, wretched, feeble-minded as well as feeble-bodied souls, would ever apply for relief. Poor creatures, who, from age, from infirmity, from mere childhood, from a total absence of every feeling, except merely that of a desire not to die; nobody else would ever apply for parochial relief; and, still proceeding on the supposition that no thought of resistance of any sort would be entertained, and

that there would be a quiet resignation to the law, and even a reverence for two-thousand-a-year LEWIS, and penny-a-line CHADWICK; proceeding upon this supposition, what would be the next consequence? Why, there being no parish relief, the labourers would be compelled to receive *whatever wages the farmers chose to give them*. For life is precious to every living creature. You must be right hungry, and be stripped of all powers of resistance, or of helping yourself, before you know what you would submit to, in order to save life. After exhausting all the resources of supplication; after wives and children had pleaded in vain with streaming eyes, the labouring man must submit: the farmer, pressed by the tax-gatherer, pressed by the parson, pressed by the landlord; a jail-door opening to his eyes, would, with tears in those eyes, screw the labourer down, in a short time, to *Irish wages*.

People, whether in high or low life, bear up against sufferings as long as they can, and especially against sufferings from hunger. First, nothing would the labourers lay out for clothes; they would collect, as they do in Ireland, cast rags just to keep them from perishing. By degrees, all would be rags; and all would be filth; for the belly must have all, and soap is dearer than the damned potatoes. The stockings would be dispensed with first; next the shoes; for the bottoms of the feet become a hoof in a short space of time. Whatever shifts and smocks there might be in existence, when penny-a-line CHADWICK should begin to send round the mandates, would become rags without seeing a washing tub. As to the head, nature has furnished that with a covering; and a good mop of hair, never combed, and well stocked with vermin, is all

that the head would soon have. The household goods would disappear, bit by bit, in exchange for potatoes and salt; and as to lodging, a couple of years would bring the far greater part of the labourers, and their wives and children, to a whisp of dirty straw. An iron pot, wherein to boil the accursed roots; a wicker basket, or the head of an old tub sawed off, would be all the table and culinary utensils; and, with a pig to be at table along with the rest, to be pampered more than the children, and lodged with greater care, and nursed with greater tenderness, as a thing, not to be eaten, but to be sold to pay the rent. **THIS WOULD BE THE LOT OF AN ENGLISH LABOURER AND HIS FAMILY!**

And, sir, are the working people of England to be brought to this? Is this to be the lot of those who till the land, work the looms, and fight the battles, of England? Is this to be *their* lot, while the drum and the trumpet at the head of troops of fat soldiers and fat horses ding in their ears, "*Oh! the roast beef of Old England! Oh, the old English roast beef!*"? Let us turn from the maddening imaginary sight, and see if we can find consolation in the fate of the *farmer*; the farmer, whom Lord ALTHORP is so anxious "to *relieve*," and who, Lord RADNOR told us, was so anxious for the passing of this bill; but whom neither of them would *trust with the management of his own money!* Let us see how this system would operate upon him. Oh! marvellously well! says penny-a-line CHADWICK; for the saucy labourers, who now live upon such "luxurious diet," and have such "*strong beer*" furnished to them, and who take away ten or twelve shillings a week, will be brought to live on a "*coarser sort of food*;" and will take from the

farmer only from four-pence to eight-pence a day ; and, of course, *agricultural capital would increase !*

The farmers, by the operation of their own plain understandings, have seen down to the very bottom of this matter, in spite of all the mud and all the filth messed up to prevent their sight from penetrating down. Plain common sense has told them, that, if tithes were abolished, they must add to their present rents the amount of the tithes, and more than the amount, it being always better to deal with the parson, who has only a life interest, than to deal with the landlord who has a right in perpetuity, and who has divers additional motives to any that the parson has, to add to the annual revenue of the land. If the poor-rates were abolished, the farmer knows well, that the amount of them would be added to his rent, and more than the amount ; because, besides that the rent would be taken away out of the parish, in nine cases out of ten, he, in many cases, pays the rates in kind, or partly in kind. But, the great consideration is this, that farmers have *kindred*, as well as other men. Their kindred, though in a degree not making it legally incumbent on them to support them in case of necessity, may stand in need of relief, and that of that relief they now bear no more than their due share. For instance, a brother, or a brother's widow and children (and nothing is so frequent as this,) may stand in need of relief, much greater than it is in the power of a farmer to give without ruin to his own family ; and be he the best and kindest brother that ever lived, he cannot give him and his family efficient relief, and keep his own head above water. Abolish the poor-rates, and he to be sure is not called upon with others to afford relief to his brother and his family : the law is silent upon the sub-

ject; but nature is not; and he goes on dividing his loaf and his garment with his brother, till all become beggars together.

Besides this, the very far greater part of farmers have pretty numerous families; they know that their children may become destitute; and they know, by the sad experience given them in consequence of your bill, *that they may become destitute themselves*. When I went to ELY, some years ago, in order to see the very spot where the English Local Militiamen had been flogged under a guard of German bayonets, for having expressed my indignation at which, ELLENBOROUGH, GROSE, LE BLANC, and BAYLEY, sentenced me to be imprisoned amongst felons in Newgate for two years, to pay a fine of a thousand pounds to the king at the end of the time, to be held in bonds of five thousand pounds for seven years after that, the whole of which punishment I underwent, having besides, paid twenty guineas a week for a hundred and four weeks to keep myself out of the company of felons; for all which I have been *doing myself justice* from that day to this, and will continue to do it, till I shall be *satisfied*. When I went to ELY to see that spot, in the year 1830, I saw three poor men, employed by the parish, cracking stones by the side of the road; and the gentleman who was with me informed me, that those three men had all been *farmers*, had been overseers of the poor themselves, within six years of that day, and had been reduced to that state by the parliament having passed YOUR BILL! In the reports of the poor-law commissioners; those very reports which came from Bishops BLOMFIELD and SUMNER, and STURGES BOURNE and SENIOR and BISHOP and COULSTON and penny-a-line CHADWICK; in those very

reports it is stated, that an overseer of the parish of Charlbury in Oxfordshire, informed them, that, *every man* then alive, *who had been a farmer* in the parish thirty years before, except two, *was now on the poor-book!* What! and have we authorized penny-a-line CHADWICK and FRANKLAND LEWIS and the other fellows to send these men to a big workhouse, and subject them to Parson LOWE's discipline, and at their death to the provisions of the Dead-Body Bill! We have; and they know it; every farmer knows that such may be his lot.

He further knows, that, as a mere question of money, that which he now gives in wages to the labourer, *the landlord will make him give to him*; that, if his rent be now a hundred a year, and his wages a hundred, he, having reduced the wages to twenty pounds a year, the landlord will make him give him the eighty that he pinches out of the labourers; aye, and he will make him give him *more than that*; for, the parochial relief being gone, every man who has children, and especially young children, will see starvation and death staring him in the face; he will submit to any terms, rather than be ousted from his farm. The praiseworthy fashion of lingering upon the accursed root, and of being wrapped up in rags, will be cited against him as an accusation of *his* rolling in luxury; by degrees meat will be as completely forbidden him, as if forbidden by law: the curse of God will be upon him: "Thou shalt rear flocks and herds; but another shall take them away, and the flesh thereof thou shalt not taste, and the wool thereof shall not cover thy body." When all become a mass of ragged wretches, if one will not submit to this, another will; till at last the lot of Ireland will be that of England; all will be a mass of poverty, misery,

rag, and filth; and the *name of farmer*, for so many ages signifying a husbandman of superior rank, will become a by-word and a mockery.

Such, sir, is the inevitable tendency of this bill, if it be persevered in; and, now, I think I have shown, *first*, that the grounds whereon it was proposed and passed were stated from gross ignorance; or from as gross insincerity. But I now have to treat, in the course of this book, of the question of **RIGHT**; of the **RIGHT** to do this thing, *even supposing it to have been necessary to preserve the estates of the landlords*. I have shown that it was not at all necessary for that purpose; I have shown that, unless the bill come at the **WAGES**, it can do nothing for the landlords. A farm at a hundred a year, would receive an addition to its rent of only about twenty by the lopping off of the poor-rates; but let the landlord take the *wages*, too, and it more than *doubles* the rent of his farm. He gains in the same proportion with all other working people, blacksmiths, carpenters, wheelwrights, bricklayers, and even shopkeepers. The wages of all these amount to, perhaps, a hundred millions a year: to get at the half or two thirds of this sum was worth all the trouble that we have seen taken. And, again I say, whatever might have been the *design* of the bill; however *generous* the *motive* of those who hatched it, pushed it on, and supported it, I have here stated its *inevitable tendency*, which is described in one short sentence: **TO TAKE FROM LABOUR ITS JUST REWARD, AND TO ADD TO THE ENJOYMENTS OF IDLENESS.**

And, now, sir, the ground stated for the adoption of this measure being this, *that the measure is necessary to prevent the estates from being swallowed up by indigent working people*, I am, in the course

of this little book, about to inquire into the nature of **THE RIGHT**, which those, who are called the *landowners* of England, have to those estates.

Before, however, I do this, I think it right, because I think it *useful*, to give the reasons why I address this little book to **YOU**.

In the early part of 1833, I published, in my *Register*, an article entitled, "**RECKONING COMMISSION.**" I have not that *Register* at hand; but I recollect, that the substance of the article was as follows: that it would be a very desirable thing to form a society in London, to be called the "**RECKONING COMMISSION;**" that this society should appoint a secretary to correspond with some one or more intelligent person, or persons, in each county, in the kingdom; that, through such means, and such like means, the society should obtain an accurate knowledge relative to all the considerable landed estates in each county, ascertain the names of the several proprietors, the probable extent and rental of each estate, the time when, and the manner how, it came into the hands of the present proprietor; and to ascertain whether, or in what degree, the possession might be ascribed to the present possessor, or his family predecessors, having received sums of public money, whether from pension, sinecure, grant, retired allowance; or under the name of public salary, or public pay, of any description.

Bearing this description of the article in mind, the description being as full and accurate as my memory can make it, let me now advert to the use which you were pleased to make of it, *in the House of Commons*, on the 16 of May, 1833, when I, in discharge of my duty, proposed to the House a resolution, concluding with a proposition to address the king to remove you from the Privy Council, on

the ground that you had been the proposer of the destructive and desolating Act of 1819. It was not very easy for common mortals to perceive the connexion between that resolution and this article of mine relating to the *Reckoning Commission*; it was extremely difficult to perceive how this proposition of mine, as editor of a paper, could be twisted into an argument to be directly and solemnly addressed to the House of Commons, as a ground for rejecting a proposition for placing on record a censure on your conduct in the year 1819. Nevertheless, and in spite of the strong presumption which this furnished, that my proposition made to the House was unanswerable by you, or by any body else: notwithstanding this, such was the use which you made of my RECKONING COMMISSION; and that, too, amidst a noise, which I will not call *cheers*, it having resembled the roarings of madmen, rather than any thing worthy of the name of marks of applause. . . . I stop here, just to observe, that the proceedings of that evening arose out of a *grand mistake*. A member of the house told me, that he heard a Tory say to a Whig: “*Damn him! let us join, and crush him at once!*” to which the Whig cordially assented! It was a grand mistake. I laughed at all the crushing and all the expunging; knowing well that only a little time was required to make nine tenths of the members ashamed of the follies of that night.

But, sir, it was the *exhortation* which you uttered upon that occasion, which I thought worth remembering, and which I very faithfully put into print the next day. You, assuming that it was my deliberate intention to set on foot a scheme of general confiscation, called, in the most solemn manner, on men of PROPERTY, of ALL PARTIES, to join to crush

those who entertained manifest designs on property ; thereby meaning me.

Now, sir, therefore, I address to you this little book on the subject of the rights of property. The poor-law bill, which you and the Duke of WELLINGTON supported, (you with your vote, and he with vote and speech,) was, as we have seen proposed, on the express grounds, that *it was necessary to preserve the lords' estates from the grasp of the poor people*. This is notorious ; and it is not less notorious that the far-famed BROUGHAM, in the way of illustration, said, that *if this bill were not passed, he himself might become a pauper in the county of Westmoreland* ; on which I observe, for the second time, that it is my well-considered opinion, that his chances of becoming a Westmoreland pauper are *greater* with the bill, than without the bill ! I have proved to you, that the bill was not necessary to preserve any body's estate, or to preserve rightful property of any sort, in the hands of any body ; but, sir, since this was the great alleged ground for the passing of this bill, I think it proper to inquire into the *right* ; I think it proper to ask WHAT IS THE RIGHT, that lords, baronets, and 'squires, have to possess the lands, and to make the laws ? I think it proper to state this question, and to answer it ; and I think it proper, while so doing, to address myself to the working people of England, renowned throughout the world, for their matchless industry and matchless skill, in useful labour of all sorts ; but now represented as a mass of " lazy and sturdy vagabonds," wishing to live upon the property of others.

This same BROUGHAM, in the course of his speech, eulogized Parson MALTHUS, and declared that he proceeded upon *the principles of that man*.

That parson, who was a *pensioner* living on the sweat of the people, recommended, that no man, who should marry after a certain day, should, after that marriage, receive any parochial relief, let his state of want be what it might; that his wife should be subjected to the same fate; that their children should also be subjected to that fate; that they should be told that “they had *no claim upon society for the smallest portion of food*, even to sustain life.”

Others have claimed and *exercised* what they call their *right* of “*clearing their estates* ;” that is to say, the right of driving the people *out of the country*, on pain of death from hunger and cold. Corresponding with this asserted right, is the right of the mass of landlords to ground the *right operating at elections* on the possession or occupation of *real property*, and their right to exclude from voting all persons not possessing or occupying such property. And, above all other things, the POOR-LAW BILL has been founded on these assumed rights of property. It is this poor-law bill that *throws down the gauntlet to us* ; and base is the Englishman who has the power to take it up, and who lets it lie quietly on the ground. I have the power to take it up ; I do take it up ; and this little book is the result of my resolution to do it. Be pleased to bear in mind, that, whatever may be the *effect* of this book, the writing of it is not a thing of *my seeking*. The laws of God, as to this matter, and the law of the land, have not been unknown to me for a great many years ; but, notwithstanding your invectives against me, as “*an enemy of all property*,” I have forborne to touch upon a subject, which I did not wish to see agitated. So long as there was hope of obtaining substantial justice for

the working people, without moving in the matter ; so long as the legal provision for the poor remained unshaken in substance, I was disposed to forbear, hoping, particularly, that a "*reformed parliament*," by relieving the whole of us from the heavy burdens of taxation, would have effectually prevented any thing being done by any body, founded on the execrable principles of the pensioned and hard-hearted MALTHUS. Now it would be the extreme of baseness on my part, to forbear any longer. MALTHUS's crew, with BROUGHAM at their head, are calling, incessantly, for "**COARSER FOOD**" for the labourer ; for separating him from his wife, and both from children, and for putting dresses of disgrace on all of them, if they happen to be poor and destitute : they are doing this upon the express ground, that it is necessary to preserve the estates of the landlords ; and therefore it is, that I inquire, *what is the right which these landlords have to those estates ?* And I address myself to the working people of England, because they are the parties in whose behalf I take up the gauntlet.

I put it in a form, and give it a size, and bind it in a manner, and sell it at a price, such as may cause it to be most extensively read, most easily preserved, and most conveniently referred to ; and, I call it a LEGACY, because I am sure, that, not only long after I shall be laid under the turf ; but after you shall be laid there also, this little book will be an inmate of the cottages of England, and will remind the working people, whenever they shall read it, or see it, or hear of it, that they once had a friend, whom neither the love of gain, on the one hand, nor the fear of loss, on the other, could seduce from his duty towards God, towards his country, and towards them ; will remind that friend

was born in a cottage and bred to the plough ; that men in mighty power were thirty-four *years* endeavouring to destroy him ; that, in spite of this, he became a Member of Parliament, freely chosen by the sensible, and virtuous, and spirited people of Oldham ; and that his name was

WM. COBBETT.



LETTER I.

HOW CAME SOME MEN TO HAVE A GREATER RIGHT
TO PARCELS OF LAND THAN ANY OTHER MEN
HAVE TO THE SAME LAND?

MY FRIENDS,

WHEN God made the earth, he made MAN, and gave him dominion over the earth. "So God created man in his own image, in the image of God created he him; male and female created he them. And God blessed them: and God said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it, and have dominion over it, and over the fish of the sea and the fowl of the air, and over every living thing that moveth upon the earth." Gen. c. 1. v. 27, 28.

This is the only true foundation of man's rightful ownership of, and command over things, other than his own body. The earth, the waters, the air, and all that in them were, were the common and general property of all mankind; and, as to any particular spot of earth, piece of water, or tree, or other vegetable, or living creature, one man could have no more claim to any of them than any other man had. But when hunger, cold, or any other cause, made it necessary to some men to do something to any part of the creation, in order to make it more useful to him, that thing began to be more his property than the property of other men; and, indeed, it would have been against natural justice to insist upon coming and sharing with him, and still worse wholly to take from him the fruits of his labour

If, for instance, a man broke up and sowed a piece of ground, having first gathered the wild seeds for the purpose, it would have been against natural justice to take the crop from him. Upon this ground it was that ABRAHAM claimed a well in the country of ABIMELECH; and he exacted an oath from the latter to testify, "that he had *digged* that well." He had no other title to it, and pretended to have no other: his right of property he founded solely on the labour performed in the digging of the well. BLACKSTONE, who is the teacher and expounder of the laws of England, says, (Book II. chap. 1.,) "that *bodily labour* bestowed upon any thing which before laid in common to all men, is universally allowed to give the fairest and most reasonable title to an exclusive property therein." He says, that there is no foundation in nature, or in natural law, why *a set of words on parchment* should give to any one the dominion of land.

Thus, then, we see that LABOUR must have been the foundation of all property. Mr. TULL, who was a very learned lawyer, as well as the greatest writer on agriculture that ever lived, claimed an exclusive right to the produce of *his book*, because he had *written it*; because it was something proceeding from the labour of his own mind; and thereupon he says, "There is no property of any description, if it be rightfully held, which had not its foundation *in labour*." And it must have been thus, because men never could have been so foolish, and so lost to all sense of self-preservation, as to suffer a few persons, comparatively, to take possession of the whole earth, which God had given to all of them as a common possession, unless these comparatively few persons had first performed, or their progenitors had performed, some labour upon their several

spots of earth, the like of which labour, or a part of which labour, had not been performed by men in general.

When the earth came to be more peopled than it was for a long time, the common benefit of all demanded that *some agreement* should be entered into, which would secure to the possessors of particular parcels of land the exclusive possession and enjoyment of them and of their fruits; and that there should be *laws* to protect them in that enjoyment. When this state of things came, it was called *civil society*, and laws, made by the common assent of any community of men, came to supply the place of the *law of nature*. These laws of civil society restrained individuals from following in certain cases the dictates of their own will; they protected the industrious against the depredations of the lazy; they protected the innocent weak against the violence of the unjust strong; they secured men in possession of land, houses, and goods, that were called **THEIRS**. The words "**MINE**" and "**THINE**," which mean *my own* and *thy own*, were invented to designate what we now call a *property* in things; the meaning of the word "*property*" being this, that the thing is a man's own, or the own of a body of men; and that no other man, or body of men, have any right to partake in the possession, the use, or the fruits of it. The law necessarily made it criminal in one man to take away or injure the property of another man. It was even before this law of civil society, a crime against natural justice, to do certain things against our neighbour: to kill him, to wound him, to slander him, to expose him to suffer from want of food, or raiment, or shelter. These and many other things were crimes in the eye of the law of nature; but, to take a share of a

man's victuals or clothing, to insist upon sharing a part of the good things that he might happen to have in his possession, could be no crime, because there was no positive property in any thing, except in a man's body itself, or, at most, in such things as he had in his immediate possession and use, or as had been produced by his labour or that of his children. For instance, a hare, or pheasant, or deer, that he had caught; beer or wine that he had made; raiment that he had made; or a dwelling-place that he had built.

But, though it be thus quite clear that labour, which is property in itself, and which is an inherent and indefeasible property, resting not on parchments, or on any human laws; though it is quite clear that the performance of labour is the real and only legitimate foundation of all other property, and, though there is no other foundation that we cannot trace back to fraud or force, still we are not to conclude that a man has no rightful proprietorship in any moveable or perishable thing which he has not made with his own hands, or that he has collected or acquired with his own hands; and that he has no rightful property in any land which he has not himself broken up, subdued (as it is described in the first chapter of GENESIS,) or otherwise brought into a state of productiveness. To give him a perfectly legitimate property in a thing, it is not at all necessary that he should have performed labour upon it himself, or that his children should have done it; nor was it ever necessary, even in a state of nature, and when men had no other guide than natural justice.

TIMOTHY, for instance, had broken up a piece of ground, and by the use of his labour on it had acquired a rightful exclusive possession; but TIMO-

THY wanted meat to eat with the bread that he raised from his land ; and TITUS, who was a hunter, supplied him with meat to a certain amount, in exchange for a piece of his land ; and by these means, TITUS became the rightful owner or proprietor of a part of this land, all of which belonged to TIMOTHY before. There was no law, no written law, and no law of civil society, to maintain these rights ; but natural justice gave the right to TITUS, though he had performed no labour on the land. Under this state of natural law or natural justice, and at a time when there was no such thing as *money*, one man gave another man shoes, for instance, in exchange for corn, or in exchange for any other thing that he might want. Every thing was the effect of labour, and, as in the above case, TIMOTHY and TITUS exchanged certain quantities of their labour, one for the other.

But when, in process of time, this practice of barter became too cumbrous and troublesome, MONEY was invented, as a *measure of the value of things* ; and it was no longer so much wheat for so much meat ; but so much money for so much of wheat, or of meat, or of any thing else. The lawyer acquires money from the fees which he takes for giving his advice ; the physician does the same. Both have acquired their skill by *labour* ; by labour of the mind, indeed ; but the capacity to labour with the mind is the gift of God as completely as is the capacity to labour with the hands. These professional persons labour, not upon the land, but with the price of their labour they purchase land ; and hence the foundation of their property is labour as completely as if they had first broken up the earth, subdued it, and made it fruitful by the labour of their bodies ; and this it is that gives them a greater

right to the possession of certain parcels of land than any other men have to those same parcels of land.

And, as to those who are possessors of land by inheritance or by will. That which a man is the proprietor of, he has a right to dispose of at his death, if he have not received it on conditions which prevent him from disposing of it as he pleases. If a man could, in all cases, dispose of his property beyond his life in just what manner he pleased, he might dispose of it, as BLACKSTONE observes, for millions of years. The law of civil society, therefore, steps in and regulates this matter. But with this we have nothing to do at present: my business, in this letter, was to show how some men came to have a greater right to certain parcels of land than any other men have to the same land; and I have shown that this right is founded in labour, and *only in labour*.

LETTER II.

WHAT RIGHT HAVE ENGLISH LANDLORDS TO THEIR LANDS? HOW CAME THEY IN POSSESSION OF THEM? OF WHAT NATURE IS THEIR TITLE?

MY FRIENDS,

To describe, and, indeed, to discover the real origin of the property, in almost any particular estate or farm in England, is next to an impossibility. Indeed, it is quite impossible even to guess at who first broke up a farm, and subdued it, and cultivated it. But, there is another origin of private property, besides that spoken of in Letter I; name

ly. the origin, or right, or power, of CONQUEST ! The lands of England, long after civil society had existed in the country, were *conquered* ; and were actually taken possession of by the conquerer, as being all his own lands ; and were either given away by him, or sold by him, to certain persons already in the country, or to foreigners who came over with him from Normandy.

Hence he became the sole proprietor of all the lands in the kingdom of England and Wales ; and his successors in the throne, or in the government of the commonwealth, have claimed the ownership throughout England and Wales, and also throughout the other parts of their dominions. The *tenures*, as the lawyers call them, and as we express it in the English word, the HOLDINGS, were various, and are various unto this day ; but, without any exception whatsoever, no man who calls himself a landowner, is a *landowner* ; but is merely a *holder* of lands under the king, as chief of the commonwealth.

And, though this seems strange, it must always have been so in all communities, in substance, if not in form ; and it was so in England during the time that the government was a republic or commonwealth. To enable you better to understand this matter, let me relate to you, that, when the Norman conqueror made a distribution of the lands, he retained, in many cases, a right over them, and derived profits from them, as a sort of landlord in chief. He gave some of the lands in a more ample manner than others ; but from all he exacted a *service*, or *tribute*, of some sort. With regard to certain parts of them, he retained the right of taking great sums of money from the possessors of the estates, under various pretences. When the land-

holder died, he demanded a year's rent of the whole of the estate from the heir, if the heir was of age; if the heir was under age, he took possession of the estate until he became of age; then made him marry whom he pleased, or forbade him to marry any other person, or made him pay the worth of a considerable part of the estate for disobeying his will.

When CROMWELL and the parliament had put CHARLES the First to death, they put an end to these exactions, by act of Parliament. They abolished them. But I must now beg your attention, and your best attention, to this very important matter; and you will find that the change was by no means favourable to the *people*, but in favour of the *aristocracy* of the kingdom, and against the people.

The revenue which the king derived from this source, the paying of the sums composing which revenue was the condition on which the estates had been given by him, as chief of the commonwealth; the revenue which the king derived from this source was, together with certain estates, which the king had always kept in his own hands; the fund out of which he defrayed all the expenses of himself, his household, and every other expense of army, navy, and, in short, all the expenses attendant on the carrying on of the government, and in defending the country. The great holders of estates were, besides, compelled to come forth in arms, and with certain of their tenants, armed, and clad, and supported by them, to defend the king, or the country, whenever it might be necessary. Indeed, this *military service*; that is to say, for the several estates to be, at all times, liable to this *service*, was the *condition* on which the estates were held. And, though this service had been commuted for *money*, still the title to the estates was inseparable from the *service*,

either in kind or in money : so that there were *no taxes laid upon the people* ; and, you will agree with me that it was perfectly just, that those who had had the lands of the country given to them for nothing at all, should render these services in return for so great a boon : at any rate, this was the condition on which they held the lands ; and as they could, at any time, give them up to the king or commonwealth, and thereby get rid of the services due to their king and their country from the estates, they had no reason to complain.

When King CHARLES the First had been put to death, and CROMWELL and his associates had seized upon the powers of the government, there was, of course, no king, to receive the services and fines, and other parts of the services aforementioned ; but there was *a people* ; and, as this revenue had enabled the king to carry on the government without taxing the people, these new rulers ought to have taken care that, however they had modified the manner of receiving the revenue, the same amount of revenue ought still to have been drawn from those estates. This was dictated by common justice ; but these men were actuated by no feelings of justice towards the people ; and they laid the foundation, in this very instance, of the most grievous of the hardships of which we, even unto this day, have to complain. They passed an act, of which the following words express the substance : “ That the court of wards and liveries, and all worships, liveries, prime seisins, and ousterlemains, values and forfeitures of marriages, by reason of any tenure of the king or others, be totally taken away. And that all fines for alienations, tenures by homage, knight’s service, and escuage, and also aids for marrying the daughter or knighting the son, and

all tenures of the king *in capite*, be likewise taken away. And that all sorts of tenures, held of the king or others, be turned into free and common soccage; save only tenures in frankalmoign, copyholds, and the honorary services (without the slavish part) of grand serjeantry."

The whole of the acts of parliament passed from the death of King CHARLES the First to the restoration of his son, CHARLES the Second, were obliterated, or blotted out, from the Statute-Book, upon that restoration taking place. The above act, therefore, bears date in the 12th year of the reign of CHARLES the Second, the eleven years of the reign of CROMWELL and his vile associates having been reckoned as a part of this king's reign; and this act, which was a revival or continuation of their act, having been passed in the first year of his real reign.

But, we now come to the flagitious part of the deeds of these villains, in this case. CROMWELL and his parliament having lopped off the revenue of the crown, having relieved the landholders from paying to the chief of the nation, that which was justly due from their estates, wanted money to carry on the government, and to put into their own pockets. And whom should they get the money from? From the landholders they ought to have got it; but they wrung it out of the sweat of the people; and for that purpose they began that system of EXCISE LAWS, which has been the scourge of this kingdom from that day to this.

The people detested it from the very outset: it was in imitation of the Dutch, that base and sordid nation. Such was its unpopularity with the people of England, who protested against it as an illegal and detestable extortion, that the vile band of usurp-

ers, then called the House of Commons, passed a resolution in 1642, in these words : " That aspersions having been cast by malignant persons upon the House of Commons, that they intended to introduce *excises*, the House, for its vindication therein, did declare, that these rumours were *false* and *scandalous* ; and that their authors should be apprehended and brought to condign punishment." These hypocrites, however, having, the next year, gathered troops round them to defend them, passed an act imposing excise on beer, cider, and perry ; and the year after that, on flesh, wine, tobacco, sugar, and such a multitude of other commodities, that it might fairly be denominated general, PRYME, one of the most cunning of the villains, said they intended to go further, but that it would be necessary to *use the people to it*, by little and little.

When CHARLES the Second was restored, this detestable tax on the people was kept on by an act, passed in the first year of his real reign ; and thus were the holders of estates free from the charges due on those estates, while the burden, to a greater amount, together with all its vexations and torments, was laid upon the people. The EXCISE now amounts to *seventeen millions a year*, and upwards ; and, if we reckon the cost of the *monopolies*, created by the tax, this horrible species of taxation costs the people *thirty millions a year* ! This is never to be forgotten when we are talking, as we are in the present letter, of the right which English landlords have to their lands. And of what nature is their title to those lands ? I call not in question their original right ; I call not in question the right of the Conqueror to give the lands ; I call not in question these things ; but I know that these proprietors

held the lands on certain conditions ; that those conditions were, that they should contribute largely, and almost solely, to the maintenance of the king, of his family, to the support of his dignity, and of all his officers of state, and to the defence of the kingdom ; and, though the excise was continued by an act of parliament, it was a mere repetition of an act passed by rebels and usurpers. I call not the legality of this act of parliament in question ; but, while I thus acquiesce ; while I thus allow the validity of this last mentioned act of parliament, I must insist upon it, that it was no more than other acts of parliament ; and that it can be as legally repealed, as any other act of parliament that ever was passed ; and I further say, that it ought to be repealed ; or that, at any rate, the holders of the landed estates, the duties and services of which were taken off by that act, ought to be called upon to pay, out of the rents of those estates, a sum equal in amount to the amount of the duties formerly rendered ; the estates still being the same in extent, and the same in quality ; it signifying not one single straw through whose hands they may have passed between that day and this, and it being of as little consequence in whose hands they may be now.

Such, then, is the tenure, or holding, of the lands in England. It is clear work, because the holding is all derived from one source, and because the nature of the title is as clear as it is in the power of words to make it.

Having now seen what right the landlords of England have to their lands ; having seen how they came to be possessed of them ; having seen the origin of their title, we may proceed to the matters contained in the next letter.

LETTER III.

IS THE RIGHT OF THE LANDLORDS TO THE LANDS ABSOLUTE? IS THE LAND THEIR OWN NOW, OR, ARE THEY STILL HOLDERS UNDER A SUPERIOR?

MY FRIENDS,

THOUGH the power of the king to practise the heavy exactions on the estate-holders, which exactions were mentioned in the last letter, was abolished by the act of parliament that I have quoted, still the form remained, though nearly deprived of its substance; and the lordship of the king over the lands is still, in form of law, what it always was. There are various sorts of under-holdings, such as leasehold, lifehold, copyhold, freehold; but, whatever else there be, the law of England says, that no man can hold lands in this kingdom in *absolute right*; that no land is any man's OWN land (except that of the king himself;) but that every one who calls himself the owner of any inch of land in the kingdom is, in fact, a tenant under the king, as chief of the commonwealth. This being a matter of such great importance, and tending to lead the minds of young men into interesting reasoning on the subject, I shall cite the whole passage from Judge BLACKSTONE (Book II. ch. 7,) in order that you may be sure that I commit no mistake in a matter of such weighty concern.

“The word *allodium*, the writers on this subject define to mean every man's *own* land, which he possesseth merely in his own right, without owing any rent or service to any superior. This is property in its highest degree; and the owner thereof

hath *absolutum et directum dominium*, and therefore is said to be seised thereof absolutely *in dominico suo*, in his own demesne. But *feodum*, or fee, is that which is held of some superior, on condition of rendering him service; in which superior the ultimate property of the land resides. And, therefore, Sir HENRY SPELMAN defines a feud or fee to be the right which the vassal, or tenant, hath in lands to *use* the same, and take the profits thereof to him and his heirs, rendering to the lord his due services; the mere allodial *propriety* in the soil always remaining in the lord. This allodial property no subject in England has; it being a received, and now undeniable principle in the law, that all the lands in England are holden mediately or immediately of the king. The king, therefore, only hath *absolutum et directum dominium*, but all subjects' lands are in the nature of *feodum* or fee; whether derived to them by descent from their ancestors, or purchased for a valuable consideration: for they cannot come to any man by either of those ways unless accompanied with those feudal clogs, which were laid upon the first feudatory when it was originally granted. A subject, therefore, hath only the *usufruct*, not the *absolute* property of the soil, or, as Sir EDWARD COKE expresses it, he hath *dominium utile*, but not *dominium directum*. And hence it is that in the most solemn acts of law, we express the strongest and highest estate that any subject can have by these words, 'he is seised thereof *in his demesne*, as of fee.' It is a man's demesne, *dominicum*, or property, since it belongs to him and his heirs for ever: yet this *dominicum*, property, or demesne, is strictly not *absolute* or allodial, but qualified or feudal; it is his demesne, *as of fee*; that is, it is not purely and simply his own,

since it is held of a superior lord, in whom the ultimate property resides."

We have seen in Letter II. that the king, as chief of the commonwealth, was, until the passing of the act of 12th Charles the Second, the real and *active* lord of a great part of the estates. He has *now* not the same extensive claim upon them; but you see, that he is still the lord paramount of them all; and that the parliament may, at any time, pass an act to bring him back to the right of his former revenue out of them. This is a great tumble down for the big-talking landlords, who are, in fact, nothing but tenants or holders under the chief of the nation, which chief holds his authority, sits upon the throne, and claims a right to sit upon the throne, *by an act of parliament*; which act of parliament the people by their representatives assisted in passing.

It is of importance here to explain this matter; because as here is a superior lord over all the landlords, it is worth the while of those landlords to consider how this superior lord comes by his right to be placed in that situation. He has not *created* the lands; he is not the lord over them by *Divine right*, but by *act of parliament*. He has a right, in law, which is called hereditary; that is to say, our present king, for instance, came to the throne as heir-at-law of GEORGE THE FOURTH, who held the crown from his father, who held it from his grandfather, who held it from his father, who came to it by virtue of an act of parliament, passed in the 12th and 13th years of King WILLIAM and Queen MARY; and, in explaining to you how this act of parliament came to be passed, I shall afford you the means of judging in what degree the nation has to

do with the property over which the king is superior lord.

In the year 1688, King JAMES the SECOND was king, being the heir-at-law of his brother, King CHARLES the SECOND. He was guilty of what was alleged to be an *endeavour* to “*subvert the constitution* :” whereupon certain of his subjects went to Holland and invited the Prince of ORANGE to come over with an army against King JAMES, who, finding himself deserted on every side, fled out of the country. Upon this, some lords and gentlemen, and the lord mayor, aldermen, and common council of London, met in the houses that were burnt down the other day, or in one of them ; and there, without a king, and without having been called together by any king, calling themselves a *convention*, issued what they called an act, appointing WILLIAM, the Prince of ORANGE, and his wife, MARY (the said WILLIAM being a *foreigner*,) to be *King and Queen of England* ; and king and queen of England they became directly afterwards.

It was then enacted by the parliament, that the heirs of the body of this WILLIAM and MARY should succeed to the crown : if they had no heirs, it was enacted, that the Princess ANNE, who was a younger daughter of King JAMES, should succeed to the crown ; and if she had no heirs, it was enacted, that the crown should go to the family of HANOVER, who were all foreigners. To that family it did go, and King GEORGE the FIRST came over and reigned as the first king of that family.

Now, observe, all this took place while JAMES the SECOND had a son, who would have been heir to the throne after his father’s death : and he had not “*endeavoured* to subvert the constitution,” if his father had. Nevertheless, the acts of parliament

set aside this son, and made it high treason in any man to assert that he had a right to the throne ; and these acts of parliament all went into full effect.

I have mentioned these things to show you what the nation did in this case ; and to show you that the king is not to be regarded as superior lord over the lands by *Divine right*, but by *law* ; and by such law as the nation may choose to make. Our lawyers, and particularly Judge BLACKSTONE, have determined that it was agreeable to the principles of the constitution of England to pass the acts which I have just mentioned. “ For,” says Judge BLACKSTONE, (Book I. chap. 3,) “ whenever a question arises between the society at large and any magistrate, originally delegated by that society, it must be decided by the voice of the society itself ; there is not upon earth another tribunal to resort to. And that these consequences were fairly deduced from these facts, our ancestors have solemnly determined, in a full *parliamentary convention, representing the whole society* ;” that is to say, a *convention*, which means a *meeting*, of English lords and gentlemen, and the lord mayor and common council men of London, without a king ; and having been called together by no king, and by no one having legal authority to call them together : this great lawyer and great teacher of our laws tells us, that this meeting was in itself and in its acts a thing consonant to the principles of our English laws. It is clear, then, that the whole of this great affair was the work of the society or nation ; and certainly, he contends, that we ought to be grateful to the actors in this scene, who acted, he says, agreeably to our constitution and to the rights of human nature. If, then, the nation can thus act in accordance with the spirit of the constitution, the king

must be surely held to sit on the throne for the *benefit of the whole nation* ; that he is the representative of his whole people ; and that it is in this his capacity as legal chief of the people, that he is the superior lord over all the estates in the kingdom, and that it is in that capacity that in him the ultimate property of all lands resides.

And, indeed, thus it must be under all governments, in substance, though not always in the same form and under the same names. There is no king in the United States of America, but the congress of that country are invested with the ownership of all the unsettled lands, which they dispose of at certain prices for the benefit of the nation ; but even when purchased, the purchasers do not possess an *absolute* ownership, a thing constantly to be borne in mind by all of you ; and then, when you hear men talk of their estates, as if they were the **CREATORS** of them, or as if they held them by an immediate grant from God, you will remind them, that the chief of the nation is their superior lord, and that they are entitled to nothing but the profits of them ; and, above all things, it would be useful to bear this in mind, if it should come to be a question, whether it will not be proper to petition the parliament to repeal the act which took away from the chief of the nation the revenue arising out of these estates, and which transferred the charge due from them ; the charge due from the property of the landholders to be laid upon your property ; that is to say, on your labour, which is a property over which there can be no superior lord. The transactions of this renowned "*reformed* parliament" have made it just and necessary for us all to look well into these matters ; and I trust that we shall not neglect our duty. Loud talk, noisy declama-

tion, answer no good purpose. One hour spent in soberly looking into the rights of things in this manner, is more likely to make men act with good sense, and with effect, than whole years spent in clamorous railing.

LETTER IV.

HAVE THE LANDLORDS DOMINION IN THEIR LANDS ?
OR, DO THEY LAWFULLY POSSESS ONLY THE USE
OF THEM ? CAN THEY DO WHAT THEY LIKE WITH
THEM ?

MY FRIENDS,

DOMINION means mastership ; complete control ; a right to do what you choose with the thing, except you be controlled by some specific law. England, Scotland, and Ireland, are, for instance, *dominions* of our king ; but still his dominion is not absolute in him. He could not give KENT to the King of France ; nor can he, without a law assented to by the lords and the representatives of the people, alienate, or make away with any part of his dominions. As to men's estates, they can have no *dominion* in them : they *own* the fruits of them ; they are *holders* of the soil itself ; they are their estates ; but they possess, in law, no dominion ; the king having dominion over them all. It is of great importance to have a clear understanding as to this matter ; because, as we shall see in the next letter, a great deal of a practical nature depends upon it.

A man lawfully possesses only the USE of the farm, for instance, which he calls his own. We

see how improperly it is that he does call it his own, the chief of the nation being a lord over him : but, with regard to the dominion, the chief of the nation has the dominion over the land, besides being the superior lord over the tenant. Some audacious landholders have asked, "Have not I a right to do what I *like* with my *own*?" And it is very curious that we have never heard them receive any answer ; very curious that we have heard any one to say "NO" to this very impudent question, which applies not only to houses in a town ; but to lands, wherever those lands may be situated within the kingdom ; and situated on the sea-coast, as well as elsewhere.

Now, then, suppose a man to be the landholder of PEVENSEY level ; a place very convenient for a French army to land. He cannot sell PEVENSEY level to the King of France, because the law renders null and void the purchase of land by foreigners. Here, then, to begin with, he cannot do what he likes with his "*own*." But there is no positive law against his *letting* it. And, could he, in time of war *let* PEVENSEY level to the King of France ? He might ; but if there were any justice left in the country, he would be hanged for *high treason* : and that would be a curious effect, proceeding from the very simple operation of a man *only* doing "what he liked with his *own*."

The truth is, that men talk in this manner, because they have never looked into the law, as explained in the third Letter of this little book. This impudence and audaciousness arises solely from the impudent and audacious persons not having learned even the A, B, C, of the law ; for that would have taught them, that neither the land, nor any thing immoveably attached to the land, is their

OWN; and that they are merely the holders, or tenants, under a superior lord; that that lord is the chief of the commonwealth; that it is in that capacity that he is their superior lord. who, besides this, has *dominion* over every inch of land in the kingdom.

Men lawfully possess only the USE of land and of things attached to the land; and they must take care that in USING them, they do not do injury to any other part of the community, or to the whole of the community taken together. You may do what you like with your land, so long as the use, which you make of it, is not injurious to your neighbours; and so long as the Legislature does not deem the use you make of it to be injurious to the commonwealth.

If men might do just what they pleased with their land, or with any house or building that they may have upon their land, almost any man having a considerable estate might annoy, if not actually ruin, a very large part of those who have lands or houses near him. In a town, for instance, a man might set fire to his own house; and, having taken a suitable occasion to do it, might burn the whole town. To set fire to your own house, therefore, is felony, punishable with death, if it injure the house of your neighbour; and if it do not do injury to any one, it is, if there be other houses adjoining belonging to other persons, a misdemeanour, punishable with fine and imprisonment. You must not have trees standing on your ground sending out branches to hang over your neighbour's ground; because, by their shade; by intercepting the rains, and the dews, and the rays of the sun, they take from your neighbour the use of these things, which are the common property of all mankind; and we may suppose a

case in which the small garden of one man may be rendered totally useless by spreading trees standing on the ground of another man.

You must not erect any building to darken the windows in your neighbour's house, if those windows have been there for a great length of time ; nor must you open new windows yourself, in your own building, to overlook his ground ; because by either of these acts you render his property less valuable : you do him an injury. And there are thousands of cases in which a rich man might ruin scores of neighbours of small property, if they were not thus protected by the law, which law is clearly founded in natural justice.

But natural justice and the law of the land go further than this. They forbid you to have upon your land, or in your buildings, any thing that shall make *noises*, such as to disturb the quiet, break the rest, or otherwise necessarily make it painful to your neighbours. A malignant rich man, wishing to drive all the people of a vicinage out of their houses, might cause half-a-dozen gongs to be incessantly sounded, or cannons to be fired, or kettle-drums to be beaten, so that the people of the neighbourhood could neither sleep, nor hear each other speak. Short of this, and without any malignant motive, a man might have on his premises an engine of some sort, the working of which must necessarily be an annoyance to the neighbourhood, make the lives of the inhabitants of the neighbouring houses less pleasant, and, of course, less valuable to the owners.

Neither must you, by any thing that you do on your premises, cause *smokes*, or *nauseous smells*, which necessarily extend to a distance from your premises ; you must not, for the reason just men-

tioned, cause such smokes and smells to issue forth from the lands or houses that you possess. No one denies that you have a full right to the use of your lands and premises ; but reason says, and justice says, that you have no right to avail yourself of that use to do injury to another man. The first of all rights is the right of life and limb. I have a right to the use of my hands ; but I have not a right to apply that use to any purpose that I please ; and yet I have as much right to knock you down with my fists, as you have to send forth from your premises smokes or smells which must naturally drive me out of my house.

The above are restraints upon a man for the good or security of his neighbours, or of a comparatively small part of the community. But, there are other cases demanding a similar restraint for the good of the whole community. Suppose a river or stream to have its spring in your land, to run for a distance through it, then to pass through other lands. Now observe, water, air, light, are things always possessed in common. They cannot, except in particular cases, be appropriated, or become the property of any man. The spring, the bed of it, and the land around it, are yours. The stream is yours, to use at your pleasure, as far as it runs upon your land : but, you must not destroy the spring, if you can ; you must not prevent the stream from going on, and entering your neighbour's land at the usual place ; for there it begins to be his, as completely as the spring and the former part of the stream are yours. Besides this, you must not do any thing to the water, even on your own premises, that shall change its colour or its quality in any respect. If you were to apply the stream to any purpose that would cause the water to kill cattle

by the drinking of it, the law would compel you to pay the full amount of the damage thus done to your neighbour, or to a whole series of neighbours, and through them to the community at large.

The statute law restrains men from turning out on commons stallions under a certain height. This may seem to be a strange prohibition, a very bold interference with a man's use of his property ; but it is, nevertheless, consonant with reason and with natural justice ; for, without such restraint, those persons who kept mares would be deprived of the use of the common for them, or would have their breed of horses spoiled, to the very great injury of the community.

Men are forbidden, in this kingdom, to grow *tobacco* on their lands. This, one would think, ought not to be. The cause is, that the excise duty on tobacco yields a great deal of money ; and, if the tobacco were cultivated here, instead of being brought from abroad, it is evident that it would be impossible to collect an excise duty from it ; because, being planted in every man's garden, and in every field, or corner of a field, those who use tobacco would provide themselves with it without paying duty ; as, indeed, some men do now, in spite of the law. We have seen, in Letter II, that it was CROMWELL, and his execrable villains, who first invented the *Excise*. We have seen that it was they who first made the people pay taxes on tobacco. The duty has remained from that day to this ; and though this statute law relative to this matter is not in accordance with natural justice, but a gross violation of that justice, still it shows that those who govern us give us this signal proof, that they do not regard property in land sufficient to warrant the proprietor in *doing what he likes*

with it ; that they do not regard him as having an absolute proprietorship ; that they deem it just and proper that he should hold the land, subject to such restraints, charges, and conditions, as the legislature may at any time choose to impose ; and this is to be borne in mind when we come to the important matters which are to be the subject of the ensuing letters.

The statute law has frequently interfered, in a very direct and positive manner, with regard to the use which men shall make of their lands. There is no doubt that a tract of land will, in many cases, bring more clear profit to the landlord by being in pasture than by being in a state of tillage. In the former state there requires merely a herdsman for two or three hundred acres of land ; whereas, for the same quantity of land in a state of tillage twenty men would be required. So that, as these twenty men would be to be maintained out of the produce of the land, though yielding five times the quantity of food by tillage that it would by pasturage. still the land would bring more *clear profit to the landlord* than by tillage ; and, if nothing but landlords were wanted in a state or community, things might go on in this way very well.

But, there are other folks besides landlords wanted in a community ; and the law, in perfect accordance with natural justice, steps in, when necessary,*and prevents them from thinning the population of a country by turning their lands into pasture. In the history of our country this has frequently happened ; the law has interfered ; it has prevented the destruction of tillage ; it has limited the bounds of pasturage ; it has given a practical illustration of the principle, that all men hold their lands, subject to such restraints with regard

to the use of them, as are consistent with the good of the community at large. Were not this the case, a comparatively small number of persons (the great holders of land) might abolish tillage to an extent that would not only expose innumerable persons to want, but that would deprive the state of the means of defence against foreign states ; a thing so monstrous as not to be thought of without feelings of indignation, that there should be a man upon the earth presumptuous and arrogant enough to deem himself possessed of such a right

LETTER V.

CAN LANDLORDS USE THEIR LANDS SO AS TO DRIVE
THE NATIVES FROM THEM ?

MY FRIENDS,

WE now come to practical matter ; that is to say, to matter which belongs to our own affairs ; matter that we shall have to put in practice, or to act upon. The foregoing Letters have treated of the principles of property ; of rights, generally, in the abstract. They have shown how it has come to pass that some men have lands to which other men have not the same right that they have ; and they have shown how far their rights extend, with regard to many sets of circumstances and states of things. But we now approach the landlords more closely ; we now come to consider their rights, as they bear upon the rights of the *working people* ; and our first inquiry is, *whether they can, legally, make such use of their lands so as to drive the na-*

tives off from them? And I am now about to show you that they have not such legal right.

One of the great principles of natural justice is, that every man has a right *to be* in the country where he was born. BLACKSTONE (Book I, ch. 1.) says, "Every Englishman may claim a right to abide in his own country so long as he pleases, and not to be driven from it, except by sentence of the law." But, if one landlord have a right to drive all the people from his estate, every other landlord has the same right; and, as every piece of the land in the island is held by some landlord or other; and as all would have the same right as the first driver, all the people, except the landlords, might be driven into the sea.

This is a thing too monstrous to be supposed reconcileable to any law: it would be putting landlords upon a footing with God himself; and, indeed, it would be admitting them to have a right to over-set all his decrees and all his laws, and the whole of his will as to the affairs of this world. Very far short of this, however, may the pretensions of landlords go; and yet go far enough to inflict most dreadful sufferings on the working part of the people, and on the community as a nation.

That I am not here combating with an imaginary evil; that this is not a mere possible evil conjured up in my own mind; that this driving off of the people is not a mere dream of mine; and that I am not writing this part of my book for the purpose of filling up an idle hour in the time of my readers; but that I am now combating a real, a practical, a growing, and a dangerous, as well as a cruel evil, I think it necessary, before I proceed further, most clearly to show.

It has, of late years, been a wide-spread practice,

in Ireland and Scotland, to drive the working people off the lands; for the purpose, either of moulding many small parcels of land into one great farm; or for the purpose of laying the lands down into pasturage for cattle, or for sheep, by which means the landlord, as suggested in the preceding Letter, calculates, that *he gets more in clear profit* by driving the people off than by letting them remain. I shall give here two extracts from *reports made to the House of Commons* by committees, appointed to examine into the state of the poor in Ireland. When I have done that, I shall speak of the remedy; that is to say, of *legal means* to put a stop to this evil and cruelty; which, as I shall show, arises out of a total neglect of the dictates of natural justice, as well as a total neglect of due attention to the fundamental laws of this kingdom.

From these reports we learn that the right of "CLEARING ESTATES;" that is to say, driving the natives off, has not been called in question; that it has been spoken of as familiarly, and with as little feeling, as of the driving off encroaching cattle from a field or a common; or as of the driving of rooks from a pea-field, or rats from a farm yard. It is related, that in the *cleanings* of a very large tract, FIRE was resorted to; so closely did the poor creatures cling to the spot of their birth! The destructive use of that terrible element was resorted to by the "*magnanimous*" ALEXANDER, and used in a manner that could not have burnt to death less than a *thousand women in child-birth*! To be sure, an effect so terrible as this did not proceed from the *clearing* in question; but, so complete was that clearing; so unsparing was it; that I am informed, and I believe the fact, that there is not now one single human being in that district, who can look back

to grandfather or grandmother who was born on the spot!

Of the effects of a "*clearing*" in Ireland we have the following account, in a report of a committee of the House of Commons, printed by an order of the House, dated on the 16 July, 1830; "The situation of the ejected tenantry, or of those who are obliged to give up their small holdings, in order to *promote the consolidation of farms*, is necessarily most deplorable. It would be impossible for language to convey an idea of the state of distress to which the ejected tenantry have been reduced, or of the disease, misery, and even vice, which they have propagated in the towns wherein they have settled; so that not only they who have been ejected have been rendered miserable, but they have carried with them and propagated that misery. They have increased the stock of labour, they have rendered the habitations of those who received them more crowded; they have given occasion to the dissemination of disease; they have been obliged to resort to theft and all manner of vice and iniquity to procure subsistence; but what is, perhaps, most painful of all, **A VAST NUMBER OF THEM HAVE PERISHED OF WANT!**"

This appears to have excited no wonder at all: there was no one talked of any measure to prevent a repetition of this. Quite a proper thing, to all appearance. No servant of the king to assert his rights of dominion, and of his claim to the safety of the lives of his subjects; nothing said to this clearing proprietor, any more than if he had been a god. In a report from a similar committee of the same House, in 1821, we find that Mr. STANLEY, who is now LORD STANLEY, giving the following evidence, relating to the poor on his estates in Ireland.

“Has it occurred to you, that in a case of this kind, emigration might be *applied*, and be a benefit?

Answer.—“Of the greatest possible; and I am convinced that the expense to devolve upon the landlord in sending a portion of the population out, would be amply repaid in a very few years in a pecuniary point of view, not by an increased nominal rent, but by an *increased probability of its being paid*; I should have recommended as the *cheapest* and most effectual mode of *reforming* this estate, and the agent for the property entirely concurred with me in opinion, the sending a certain number of those persons to America, but that I was aware of the possible distress which might await emigrants, especially with families, on landing, wholly unprovided for and destitute, and I waited most anxiously to see whether Government would concur with Irish landlords in some system which might clear their estates, be of important national advantage in securing the tranquillity of Ireland, and benefit of the colonies by an accession of population and wealth. If any such plan be adopted, so as to secure the comfort of the emigrant on landing, I should probably become an applicant for assistance to a considerable amount.

Question 4396. “Have you any reason to believe that the people will fall in with the plan?”

Answer.—“I am sure they would to an extent which might be embarrassing, and within the limits of a very confined experience; I speak not without facts, I have had frequent applications from the estate of which I have been speaking, to pay the passage money to America, and last year I desired the agent to call together the tenants *on the Limerick property*, to tell them that I had no complaint against one more than another, nor any wish to turn

them out of their holdings, but that they *knew that the rent must be paid*, that there were more persons upon the land *than it could support*, and that I wished to know, who were ready to volunteer for America, explaining the conditions for the sake of *giving their lands among those who remained*. In three or four days, offers came in, I think, from seventy-nine out of three hundred and thirty-nine, and I do not doubt many more would have followed. We could at present *eject* all these persons, but independently of motives of humanity, there might be a risk in doing it to such a number, but with such an alternative offered to them, *I should feel no scruple in asserting my right*, and I am confident there is good sense in the Irish peasant, which would make them at once, and thankfully accept the offer; for the landlord and tenant I think emigration is equally desirable, as affording the means of effecting that which must precede all improvement on Irish estates, *the diminution of the resident population.*"

We see here that Mr. STANLEY pleads his *right*, and smooths over the transaction by the offer of a conveyance to Canada; that is to say, he gives the poor creatures the choice of transportation to a foreign land, or of perishing from want in their native land. I have ascertained upon the spot the fate of the miserable creatures who were expatriated in pursuance of what Mr. STANLEY calls, *exercising his right* in the county of Limerick. But I choose rather to rely on other authorities; though, as I have names, and dates, and witnesses to the facts, my own authority would be perfectly good. I will not, however, put it forward, but will state the following undeniable facts. That, in Canada, there is an act of the assembly imposing a tax on emigrants

for the double purpose of preventing emigration, and of helping to meet the burden imposed upon the people to keep the poorer part of the emigrants from starving.

This ought to be quite enough to satisfy any one, that, to give people the choice of starvation at home, or transportation to Canada, is only, in fact, giving them a choice of the time at which they shall be starved to death. But, there is a book to which I must refer, that of Mr. MoTAGGART, a Scotch gentleman, and a civil engineer in the service of the English government in Canada. This book was published in 1829; and in it the author states, that the emigration is planting misery in Canada; that at SIDNEY and HALIFAX the wretched emigrants were rescued from starvation by issues from the public treasury; that at St. JOHN's a cargo of emigrants from KILALA had arrived, sixteen of whom had died on the passage; that three hundred and seventy had been crammed into the ship, capable of carrying, as it ought to have done, only a hundred and eighty-seven; that the vessels in which emigrants go to Canada are of the worst description, calculated for the carriage of *timber*, and not liable to sink with such a cargo; and that in one of these five hundred Irish emigrants perished by shipwreck!

Mr. McTAGGART says, in speaking of the deaths of the emigrants, "that the Irish absolutely die by the dozen of disease; in *winter by frost-bites*, in summer by *malignant fevers* of all kinds; but that those who own wild lands in America encourage this emigration by their falsehoods. Out of one hundred grown-up persons, and two hundred children, the mortality will be found nearly as follows: first year, five of the former and thirty of the latter;

second year, eight-and-forty; at the end of five years only *fifty* of the children will probably be found living, and *twenty* of the grown-up people."

The medical report of the QUEBEC emigrant hospital, dated 13th of August, 1831, says, "The constant arrival of vessels from Europe with emigrants, many of whom are obliged *to be out in the streets and on wharfs*, causing most distressing spectacles, and many of them dangerously ill, *dying in the streets.*"

There is no one who can call in question the correctness of these facts; and if these facts be correct, what monsters are those who compose what are called "emigration societies," or "colonial associations;" and what a government and what a parliament must those be, who not only do not put down but who seem to encourage these undertakings! And, who can quietly hear men talk of *clearing their estates*, as we talk of clearing a homestead of vermin!

Mr. STANLEY (who is now, in 1834, LORD STANLEY) tells us, that the people *gladly* accepted of his terms of emigration; but he does not tell us that he told them, that they would be exposed to die in the streets in Canada, and that, at the end of five years, only seventy of them would be alive out of three hundred; and even if he had told them this, men prefer the chance of life at the end of five years, or at the end of five weeks, to starvation in the course of five days.

But let us now see how this compulsory ejectment from the country squares with the law, whether of God or of man. Throughout the whole of the Bible, the precept is inculcated, that men are not to grasp at lands or houses in quantity beyond their reasonable wants. In ISAIAH, 5th chap. and 8th

verse, we have these words. "Woe unto them that join house to house, and lay field to field, till there be no place, that they may be placed alone in the midst of the earth." In the prophet Amos, after describing the punishment due to the crimes of the community, the text proceeds thus: "Hear this, O ye that swallow up the needy, even to make the poor of the land to fail;" that is to say, to be driven away, to be wanting, to be absent, to be blotted out. But are there not five hundred passages in the two Testaments, in which denunciations are laid down against oppressors of the poor? And what greater oppression can there be, or what oppression so great, short of inflicting death; what greater oppression than that of saying to a man, you shall quit your native land for ever, or be exposed to die of hunger or of cold? What greater oppression than this, to say nothing about the heightening of this oppression by sending the oppressed creature to the frost-bites and the fevers of Canada?

Thus far the law of God; and now, how does this right of *clearing* estates: how does this right of transportation or banishment for life, comport with the laws of England? The laws of England insist upon *allegiance for life*; unalienable allegiance, due from every person born in the king's dominions, to the king, as chief of the kingdom or commonwealth. *Allegiance* means the *tie* which binds every man to be faithful to his country and its sovereign; not to bear arms against them, and not, in any way whatsoever, to give aid, assistance, or comfort to their enemies. There is a *condition* attached to this obligation, which we shall have to pay attention to by-and-by; but at present, we have only to look at the obligation as it bears upon

the practice of compelling men to quit their country or to starve.

Certainly nothing is more reasonable or more just than this law of allegiance. It is just, too, that it should be indefeasible; that is to say, that it should be at all times and in all places binding; that it never should cease but with the man's life; that *voluntarily* going into another country ought not at all to lessen the obligations of allegiance, because a man cannot *unlive* the time that he has lived; and the obligation on him cannot, therefore, cease but with his life.

But (and now comes the application) if a law be passed to send a man out of his country, on pain of starvation, without his having been sentenced to transportation by due course of law; if a law be passed to authorize landlords to inflict this species of transportation at their pleasure, or to give the transported person the choice between transportation and death from hunger and cold: if a law be passed to this amount, is there not an end of that law of allegiance, which is the great cement of the social compact; the great distinguisher of nation from nation; the great duty, without a due sense of which *patriotism* is a word without a meaning, and the word *Country* itself means nothing but the dirt, and the grass, and the trees: is there not an end to this great law written in the hearts of all mankind?

Shall we be told that these *clearing* and transporting landlords have *no law* for what they do? Certainly we shall. But, where is the difference to the people, whether the government *permit* them to be at the mercy of a handful of persons called landlords; where is the difference to the people, whether they be thus transported *by law*, or *against law*; and, if impunity, complete impunity, be en-

joyed by their oppressors? The law of allegiance, in the first place, affords quite sufficient ground for proceeding legally against any landlord who shall thus deal with the king's subjects, whom he thereby forcibly withdraws from their allegiance; for, anything so monstrous never has yet been heard of, as an attempt to maintain that a man thus *cleared off* the land of his birth, thus doomed to death or to expatriation; any thing so monstrous has not yet been heard of, as an attempt to maintain that such a man *still owes allegiance* to the country of his birth, out of which he has thus, without any offence by him committed against the laws, been ejected for ever, on pain of starvation.

The law of allegiance is a law founded in reason, in nature, and in the necessity which every country has of it for the support of its independence; but, there is a *condition* attached to this duty of allegiance; and now let us see what this condition is. BLACKSTONE (book i. ch. 10) says, "Allegiance is the tie or *ligamen*, which binds the subject to the king, in return for that *protection* which the king affords the subject." Further on, in the same chapter, he describes the *grounds* of this allegiance more fully. "Natural allegiance is such as is due from all men born within the king's dominions, immediately upon *their birth*. For, immediately upon their birth, they are under the *king's protection*; at a time, too, when (during *their infancy*) they are *incapable of protecting themselves*. Natural allegiance is, therefore, a debt of *gratitude*; which cannot be forfeited, cancelled, or altered, by any change of time, place, or circumstance." Thus says COKE; thus says FORTESCUE; thus says HALE; thus say all the lawyers: thus say PALEY, GROTIUS, PUFFENDORF; all the civilians, and all

the fathers of the church ; but, above all the rest, thus say the decisions of the courts of justice in England ; thus say the condemnation and putting to death of hundreds, if not of thousands, of Englishmen.

This, then, is the law of the land ; and very just is this law. Fidelity to country is inculcated and commanded from one end of the Holy Scriptures to the other : but, is protection to the citizen or subject less imperatively commanded ? Throughout the whole of our laws, and the laws of every civilized country throughout the world, *protection* is due to the party, as the foundation, and the only foundation, of this allegiance. If the state refuse protection, away goes all its claim to allegiance ; away goes the debt of gratitude. And what protection do those receive who can, at the will of a landholder, or of any combination of landholders, be driven from their native country ; men, women, children ; babes at the breast ; tottering old age ; what *protection* is there, if these can be driven away by landlords, on pain of death from hunger or cold ? It is very true that allegiance is due to the country and its sovereign. The law of God bids us be obedient to the law of the land ; but it commands the rulers of the land to protect the people, and, particularly, the poorer and weaker part of the people : and our Saviour himself thus commands us, individually as well as collectively ; and thus denounces those who shall—not turn the poor out to perish, but who shall *not take in* the stranger, and feed and comfort him, if he be poor : “ Then shall he say unto them on the left hand, Depart from me, ye accursed, into everlasting fire, prepared for the devil and his angels ; for I was an hungered, and you gave me no meat ; I was thirsty,

and ye gave me no drink. I was a stranger, and ye took me not in ; naked, and ye clothed me not ; sick and in prison, and ye visited me not." The reader knows that this is a figurative passage, which applies not to our Saviour himself, but to poor people ; and, if this be the judgment on those who refuse food, and raiment, and shelter, to the *stranger*, what is to be the judgment on those who turn out the *natives* to perish with hunger and with cold ?

But, there is still another view to take of this matter ; of this duty of allegiance, as connected with other duties growing out of it ; such as compulsory military service ; such as compulsion to remain in the country (in obedience to the law) for *the good of the country*. These matters, however, will find a more suitable place in the next Letter ; and I shall conclude this present Letter with answering a question which the landlords always put in this case. They say, " What ! do you hold, then that, if there be people living on my land, or in my house, who cannot, or who will not, pay me any rent ; do you hold that I have no right to eject them, by due course of law ? " I hold no such a thing : nothing that I have said upon the subject can bear any such construction ; but this I hold ; that no individual landlord, and that not all the landlords in the kingdom put together, has, or have the right to eject the natives from the land, and to make them houseless, *without providing other houses for them to be in !* This is what I hold ; and it is what the laws of England hold ; and it is what the laws of God clearly hold, from one end of the Scriptures to the other. A desitute person is not merely to be relieved from the sufferings attendant upon hunger and upon want of clothing ; but is to be relieved,

also, from the effects of a want of shelter and of lodging. This was the law, the undisputed law, until the ten-pounder Parliament met; and the great question now is, whether this law be to be abrogated?

If the landlords have a right, be the pretence what it may, to eject the natives from the land; if they have a right, taking the whole body of them together, to turn one single family out upon the bare ground, *without providing for them another place of abode*, then they have the RIGHT OF KILLING; and this, too, in the face of the law, which declares, that *constant protection*, from birth to death, is due from the state to every man, as the sole foundation of its claim to his allegiance.

LETTER VI.

CAN THE LANDLORDS RIGHTFULLY USE THE LANDS
SO AS TO CAUSE THE NATIVES TO PERISH OF
HUNGER OR OF COLD?

MY FRIENDS,

If they can, then have the landlords the RIGHT TO KILL; and the miserable people of England are placed upon a footing with the beasts of the field, and the fowls of the air. But, I am about to show, that this is not the case; and that all law, human as well as divine, forbids the entertaining of so atrocious and ferocious a doctrine; and to show also, that destitute persons, whether the destitution arise from want of ability to labour sufficiently to provide for themselves; or whether it arise from the want of being able to obtain employment, with

sufficient wages to provide subsistence, clothing and lodging, sufficient to the sustaining of life and health : I am about to show, that, in either of these cases, such destitute persons have as clear a right to demand relief of their wants, as any man has to the rents of his land ; or to the goods in his house. Indeed, it appears to me impossible that any person of clear understanding can have read the foregoing Letters without coming to this conclusion ; but, the doctrines in those Letters have now to be applied to *practical purposes* ; and, therefore, I shall here enter into a full examination of the question, stated at the head of this Letter ; and prove that, according to natural justice ; according to the laws of God ; and according to the laws of England, this right to relief, in the cases above-mentioned, is an unalienable right in every man born in England.

It is something disgraceful to our days, that any measure should have been adopted, or talked of, which should have made the discussion of this question necessary ; but, such is the case ; and, therefore, discuss it we must. That there ought to be *no legal provision for the poor and destitute* ; that all such provision is *essentially bad* ; that such provision, *even for the aged and infirm*, ought not to be made ; and that even the *giving of alms to the wretched is an evil* : these assertions of MALTHUS and BROUGHAM, and of Brougham's hirelings, might, if they had been confined to them, have passed with a mere exclamation of contemptuous horror ; but they have not been so confined ; they have been repeated by *hundreds of landlords* ; and, therefore, they demand a serious, and, at the same time, an indignant and scornful refutation.

NATURAL JUSTICE, without any law either of God or man, would dictate to those who possess

the necessaries of life, to give (if they have more than absolutely necessary to supply their own wants) some portion of them to prevent others from perishing. Even the animals, not human beings, take care of their young ; for instance, those which give suck suffer every hardship rather than withhold the milk from their young ones ; those which do not give suck, take care that the young ones are fed, before they feed themselves. A hen, which is become almost a skeleton from sitting, will come out in the morning with her chickens, hungry as it is possible for her to be ; but not one morsel will she swallow till the chickens be satisfied. She will break the victuals for them, and, though half famished herself, will swallow none till they have got enough. And who has ever seen a labouring man, or his wife, not ready to endure, and frequently enduring the torments of hunger, rather than suffer their children to want ? I dare say it is the same in all the countries in the world ; but I know it to be thus in every part of this kingdom, and this is what every one knows, who knows any thing of the people.

Thus far, then, natural justice would go ; and it would go a great deal farther : it would extend to *neighbours*, as well as to relations : it would extend even to *the stranger* ; and it always did so extend. Extreme poverty in certain cases is inseparable from the life of man : indeed, it is *necessary*, to excite emulation, and to create industry. If there were no extreme poverty in the world ; if that poverty were *impossible* to be, the greatest of all the motives to industry, to care, to frugality, to the preserving of good moral character, to the attainment of skill, and even to the performance of deeds of valour ; this greatest of all motives would be

wanting ; and mankind would be a low and worthless set of beings, compared to what they now are. Therefore, there must be extreme poverty in the world ; it must exist ; and, accordingly, the word of God tells us, that “ The poor shall never cease from out of the land ; ” that is to say, that there always must be, and shall be, poor people ; that is, people in extreme poverty.

Amongst the innumerable commands of God, to take care of the poor, let us first take the 15th chapter of DEUTERONOMY, which is a sort of an abridgment of the whole of the law of God in this respect. I do not know that it is necessary to do any thing more than to take word for word the verses of this chapter, from the 7th to the 11th inclusive. “ If there be among you a poor man of one of thy brethren, within any of thy gates, in thy land which the Lord thy God giveth thee, thou shalt not harden thy heart, nor shut thine hand from thy poor brother : But thou shalt open thine hand wide unto him, and shalt surely lend him sufficient for his need, in that which he wanteth. Beware that there be not a thought in thy wicked heart, saying, The seventh year, the year of release is at hand : and thine eye be evil against thy poor brother, and thou givest him nought, and he cry unto the Lord against thee, and it be sin unto thee. Thou shalt surely give him, and thine heart shall not be grieved when thou givest unto him ; because that for this thing the Lord thy God shall bless thee in all thy works, and in all that thou puttest thine hand unto. For the poor shall never cease out of the land ; therefore, I command thee, saying, Thou shalt open thine hand wide unto thy brother, to thy poor and to thy needy in thy land.”

We see that a *legal provision* was made for the

poor by the law of God ; that the Levites were to have no share in the possession of the land ; but that, in fact, a tenth part of all the produce of it was to be rendered to them for the purposes of religion, and for taking care of the destitute poor. Innumerable are the passages of the Scripture, containing the most dreadful denunciations on those who withhold relief from the poor ; who “ turn them aside from their right.” In ISAIAH, 3 chapter ; “ The Lord shall enter into judgment with the ancients of his people, and the princes thereof ; for ye have eaten up the vineyard ; and the spoil of the poor is in your houses. What mean ye that ye beat my people to pieces, and grind the faces of the poor ?” Again in chapter 10. “ Woe unto them that decree unrighteous decrees, and that write grievousness which they have prescribed ; To turn aside the needy from judgment, and to take away the *right* from the poor of my people, that widows may be their prey, and that they may rob the fatherless.” It would be endless to cite passages of the Scriptures, enjoining on those who have the means to relieve the poor, the due performance of that duty. But, above all things, *not to oppress* them, and not to withhold from them their *right*. The dreadful sentence pronounced in the 20th chapter of JOB ; the most dreadful sentence, perhaps, that it is possible for words to pronounce, is as follows ? It is a sentence pronounced on the rich man.

“ Yet he shall perish, like his own dung : they which have seen him shall say, Where is he ? He shall fly away as a dream, and shall not be found : yea, he shall be chased away as a vision of the night. The eye also which saw him shall see him no more ; neither shall his place any more behold

him. His children shall seek to please the poor, and his hands shall restore their goods. His bones are full of the sin of his youth, which shall lie down with him in the dust. Though wickedness be sweet in his mouth, though he hide it under his tongue; though he spare it, and forsake it not; but keep it still within his mouth: yet his meat in his bowels is turned, it is the gall of asps within him. He hath swallowed down riches, and he shall vomit them up again: God shall cast them out of his belly. He shall suck the poison of asps: the viper's tongue shall slay him. He shall not see the rivers, the floods, the brooks of honey and butter. That which he laboured for, shall he restore, and shall not swallow it down: according to his substance shall the restitution be, and he shall not rejoice therein."

And, what is all this for? The 19th verse tells us; "*because he hath oppressed, and hath forsaken, the poor; because he hath violently taken away an house which he builded not.*" This is his great offence: for this he is to suffer in the manner before described. And, do we know no country where men take away houses which they have not built, and from which they turn the poor wretched inhabitants out upon the bare ground? The manner in which the poor are ill-treated is described in the 24th chapter of JOB. Here we see how tyrant-landlords proceed, when the law does intervene to prevent them. "They remove the landmarks; they violently take away flocks and feed thereof: they drive away the ass of the fatherless, they take the widow's ox for a pledge. They turn the needy out of the way: the poor of the earth hide themselves together. Behold, as wild asses in the desert go they forth to their work, rising betimes for a prey:

the wilderness yieldeth food for them, and for their children. They reap every one his corn in the field : and they gather the vintage of the wicked. They cause the naked to lodge without clothing, that they have no covering in the cold. They are wet with the showers of the mountains, and embrace the rock for the want of a shelter. They pluck the fatherless from the breast, and take a pledge of the poor. They cause him to go naked without clothing, and they take away the sheaf from the hungry."

Horrible as this is, do we know no part of the world ; or rather, do we not well know one part of the christian world, where these acts are committed ; not where this is a figurative description of the acts committed ; but where it is a literal description of that which is done to the poor ; where this description could be taken, and applied to the very acts that you see taking place under your eyes ? And, can we know this to be the case ; and are we not to expect the fulfilment of the denunciations ; and are we not, to say with the prophet Amos, "*Shall not the land tremble for this ?*" It must tremble : it does tremble ; and the way to save it is, for us cordially to join, and secure an atonement for acts like those which are described in this eloquent chapter of the Scripture.

It is impossible, without making a large volume, even barely to notice the divers passages in the Scripture, all having a tendency to this one point, the care of our poorer brethren ; a just distribution of the good things of this world ; and, at the same time, the punishments which are to fall upon nations, as well as upon individuals, if they neglect this duty ; and, particularly, if, instead of cherishing the poor, they become oppressors of them. But,

is there not, from one end to the other of the New Testament, line upon line, and precept upon precept, establishing this point, that, without charity, there is no *christian* virtue in man; that all professions are false; that all faith, or belief, is worthless, if charity be absent? And, what is charity? To be sure, there may be charity in one's *thoughts*, in one's *wishes*, in one's *opinions* of one's neighbour; but, by charity, in the common acceptation of of the word, as used in the Gospel and the Epistles, is meant, feeding the hungry, clothing the naked, sheltering the houseless; and such was, from the very beginning, the principle which pervaded the precepts and the conduct of the followers of JESUS CHRIST; who found, that unequal distribution of goods, which must always exist in civil society; who found instances of that extreme want, which must always prevail to some extent or other; and they, following the precepts of their divine Master, put forward the care of the poor and destitute as *the first* of christian virtues.

A provision for the relief of the poor was begun to be made by the APOSTLES themselves. They collected alms; they received oblations; and they immediately began, in fact, establishments for providing a certainty of relief for the poor. The order of DEACONS was created for giving effect to these their intentions. It was the business of this order of men to attend to the relieving of the poor; and, as the church of CHRIST extended itself over the world, it every where took care to make effectual provision for the wants of the destitute. Here in England, the Common law of the land came in aid of the laws of the church. Both together took care, that all the wants of the poor should be provided for. All the numerous religious establishments,

abbeys, priories, friaries, nunneries, hospitals, and even the parish churches themselves were founded in the name of, and dedicated to, "*the service of God, and the care of the poor*;" and I defy all the MALTHUSES and BROUGHAMS upon the face of the earth to deny this fact. It is of importance, however, to establish, beyond all contradiction, the right, which the poor thus acquired and enjoyed.

We have seen, in the foregoing letters, what is the nature of the right which the landlords have to the land; we have seen in what manner they came in possession of them; we have seen the nature of their title; we have seen that no man has an *absolute* right to any land; we have seen that every man holds his land on certain conditions, and on the consideration of the performance of certain services to the State. Well, now, let us see whether the lands be not charged with the duty of making certain and infallible provision for the poor.

Long before the Norman conquest all the lands were charged with tithes, out of which tithes the law required that the poor should be relieved; and thus stood the law, when the Norman Conqueror came, and made a new and settled distribution of the lands. The law and the practice of England gave a third part of all the tithes to the poor; and gave them also a very large part of the rents of the lands belonging to the monasteries or religious houses. There were then no *moduses*; that is to say, no giving of a trifling sum, instead of the tithes of a parish; there were then no exemptions from the payment of tithes; mills; the tolls of markets; all underwoods; even trades, in certain cases, yielded tithes; so that the amount of the tithes, in proportion to the whole produce of the country, was very great; and hence arose up all the magni-

ficent cathedrals and churches, while the poorer part of the people were taken excellent care of.

In this state of things the NORMAN CONQUEROR came; established the feudal system; made a new distribution of the lands; or, *granted them* to their then possessors. But, he made no change with regard to tithes: he left all the lands charged with tithes: the right of the poor still remained; and never was it questioned; no man ever dreamt of questioning it, until the days which afflicted this kingdom with the writings of the hard-hearted MALTHUS, and his merciless followers; who, not seeming to recollect at all MOSES, the prophets, our SAVIOUR, the APOSTLES, and the laws of our own land, have now the audacity to tell us, that *a legal and certain provision for the poor is a bad thing*; that the means of protecting the aged and infirm are *mischievous*; and that, even hospitals, charitable donations, and the giving of alms, are *injurious to a nation*; and at the head of these disciples is that HENRY BROUGHAM, whom the king has lately dismissed from his councils and presence; who has recently begged to be a judge, after having been a Lord Chancellor; who is now sending silly crawling letters from France; and whose fate one cannot think of, without calling to mind the denunciations of Holy Writ.

The right of the poor still remained. The land, when newly granted out by the Conqueror, still remained charged with tithes; and, if tithes were now exacted to the extent to which they were exacted at that time, a third part of them, which third part was you will observe the patrimony of the poor, would amount to three times the sum, and more than three times the sum, which is now annually expended on the relief of the poor. It fol

lows, then, of course, that those who hold the lands now, hold them upon condition of giving out of them a sufficiency for the relief of the poor; and that, therefore, they cannot, legally, so use their lands as to cause the natives to perish of hunger or of cold. The law and practice of England, in this respect, continued to be the same from the Norman conquest down to what is called the REFORMATION, when the PROTESTANT RELIGION was substituted for that of the CATHOLIC; and here there is something very material for us to notice; because this prescriptive right is now denied by those who would, as they call it, throw the poor upon their "*own resources*;" of which throwing on their *own resources* I shall speak more fully by-and-by. Long before the REFORMATION, even the STATUTE-LAW came in aid of the Canon, and of the Common, law, in support of this right of the poor; and this intervention of the Statute-law became necessary, in consequence of the circumstances which I am now about to state, and to which I beg you, the working people of England, to pay particular attention.

BARON GILBERT, in his "*Law of the Common Pleas*," describes the *Catholic distribution* of tithes in the following words:—"The revenues of the church, consisting of various descriptions of tithes, were divided thus: one third part was taken by the priest, as his own; another third part was applied to the relief of the poor; and the other third part to the building and repairing of the church." Now, is there any one who has ever been worthy of the name of *lawyer*, who will deny that this book which I have quoted is a book of unquestionable authority with all lawyers and all judges? I, therefore, assert, and have thus proved, that such was

the law of the church, and the common law of the land.

But, the statute law comes to confirm this ; comes incidentally, but comes with force irresistible. After the monasteries grew up and had so much power in England, innumerable patrons of livings gave the advowsons to the monasteries, instead of keeping them in their own hands, or leaving them to their heirs. The monasteries, become owners of the advowsons, did not, in many cases, give the livings to parish priests ; but sent some one of their own order into each of the livings to perform the duty, leaving him the small tithes, and taking the great tithes to themselves. The priest thus sent by the monasteries was called a *vicar*, from the Latin word *vicarius*, which means a person deputed, or delegated, to act in the place of another : and from this came the vicarages in England.

In consequence of the above-described application of the tithes, it frequently happened that the monasteries took away the great tithes, and did not leave the vicar enough for his own sustenance, the repairing of the church, and the relieving of the poor. In consequence of this, an act was passed, in the 15 of Richard II., to compel the monasteries, to leave a sufficiency for the relief of the poor, “ in aid of their living and sustenance for ever.” I will quote the whole act, which is quite complete.

“ITEM, Because divers damages and hinderances often times have happened, and daily do happen, to the parishioners of divers places, it is agreed and assented, That in every license from henceforth to be made in the Chancery, of the appropriation of any parish church, it shall be expressly contained and comprised, that the diocesan of the place, upon the appropriation of such churches, shall ordain,

according to the value of such churches, *a convenient sum of money to be paid and distributed yearly, of the fruits and profits of the same churches, by those that shall have the said churches in proper use, and by their successors, TO THE POOR PARISHIONERS OF THE SAID CHURCHES, IN AID OF THEIR LIVING AND SUSTENANCE FOR EVER ; and also that the vicar be well and sufficiently endowed.*”

Thus stood the matter until the REFORMATION ; another Act having been passed in the reign of HENRY THE FOURTH, to enforce the Act just quoted. The REFORMATION took away the great tithes, as well as the rents, from the monasteries, and gave them to the king, who gave them to individuals ; but no Act of Parliament which was passed at that time, and no Act of Parliament that has ever been passed since, until the “*Poor-law Amendment Bill*” was passed, has ever taken away, or in any degree enfeebled, the right of the poor, as recognised by all the laws which subsisted, and were in full force, up to that time ; and the Act of RICHARD the Second is *law unto this day*. But the change of religion, and the transfer of the tithes, and of the estates of the monasteries, caused the tithe-owners, and the new abbey-land-holders, to neglect this sacred part of their duty, the relieving of the poor. They cast aside this duty by degrees ; the people complained of this robbery committed upon them ; and, after numerous vain attempts to induce the tithe-owners and the abbey-landlords to do their duty towards the poor, an Act of Parliament was passed in the 43d year of ELIZABETH, providing effectually for their relief, by parochial rates, and by the appointment of overseers to superintend the collection and distribution of those rates ;

and this law continued in force ; and a happy and kind people lived under it for nearly two hundred years, till a "*reformed* Parliament" met ; till there was an ALTHORP to bring the Poor-law Amendment Bill into the House of Commons, and a BROUGHAM to bring it into the House of Lords.

You will perceive, that this Act of ELIZABETH provided no *gift* to the poor : it only gave them, in another shape, that which the christian religion, and the law of the land, had given them before : it only exacted from the land that which the land was charged with, at the time of the Norman conquest ; and which, indeed, it had always been charged with, from the time that England was first called England. The *poor-rates* were no more than a *compensation* for what had been withheld from the people by the injustice of the Protestant clergy and the landlords : it was only giving them, under another name, under another form, and in another manner, that which they had before received out of the tithes, and out of the rents of the Abbey-lands, and to which they had a much older, and a much clearer title, than any man had, or has, to his landed estate.

Thus, then, according to the principles of natural justice, according to the practice of men, in a state of nature, and without any law whatever, either of God or of man to guide them ; according to the express and incessantly reiterated commands of God, in both the Testaments ; and according to the laws of England, Canon-law, Common-law, Statute-law, laws made by Protestants, as well as laws made by Catholics, right to relief in the destitute is acknowledged ; universally acknowledged ; the practice upon this principle has been unvarying ; and our Poor-law has really and truly been the glory of

the country, and the admiration of the world. The Americans, when they made their revolution, though they cast off the *kingly* part of our government; though they cast off the *aristocratical* part of it; though they cast off the *Church* part of it, took special care to preserve *this* part of it. Let, then, the hard-hearted wretches, who would now abrogate it in England, put forward at the same time, their pretensions to a *love of liberty*; and let the names of the merciless hypocrites stand accursed in our Calendar.

But, is this all, that is to be said in defence of this right of the poor, and in denial of the right of the landlords, so to use their lands as to cause the natives to perish of hunger, or of cold? Oh, no! There is a great deal more to be said than this. We have yet to hear what great and wise men, regarded as authorities by all the world, have to say upon this subject; and amongst others, our own great lawyer, BLACKSTONE; Dr. PALEY, an arch-deacon of the church; HALE, one of the greatest lawyers that ever lived, and one of the most just of judges; MONTESQUIEU, a very great authority; LOCKE, cited everlastingly for his sound doctrines on government. I shall have afterwards to show you, that, if the principles, upon which the "Poor-law Amendment Bill" has been defended, were sound, (as they are not,) there would be no good title to any property, of any species, in the kingdom; and that the law of allegiance would be something worse than an absurdity. But, I will first refer to the authorities before mentioned. BLACKSTONE (book I. chap. 1) says, "The law not only regards life and member, and protects every man in the enjoyment of them; but also furnishes him with every thing necessary for their support. For there

is no man so indigent or wretched, but he may demand a supply sufficient for all the necessities of life from the more opulent part of the community, by means of the several statutes enacted for the relief of the poor: a humane provision, dictated by the principles of society."

HALE ("*Pleas of the Crown*," chap. 9) says that, "the laws of this kingdom make sufficient provision for the supply of persons in necessity, by collections for the poor, and by the powers of the civil magistrates, and that the Act of ELIZABETH has reduced charity to a system, and *interwoven it with our very constitution*." It follows, of course, that, if you abrogate this law, you abrogate the constitution altogether. It is useless to attempt to blink this, by saying that you do not meddle with this law of ELIZABETH; for, if you take the power of relieving out of the hands of the overseer; or if you cause him to be a person hired and brought from a distance; if you do these things, you do abrogate the Act: and this is only a small part of what is done by the Poor-Law *Amendment Bill*.

Dr. PALEY, in his "*Moral Philosophy*," a book of very great authority, has the following passage, which you will find in perfect accordance with all the principles laid down in this, and in the foregoing Letters. "The poor have a claim founded in the law of nature, which may be thus explained:—All things were originally common. No one being able to produce a charter from heaven, had any better title to a particular possession than his next neighbour. There are reasons for mankind agreeing upon a separation of this common fund: God, for these reasons, is presumed to have ratified it. But this separation was made and consented to, upon the expectation and condition that every one

should have left a sufficiency for his subsistence, or the means of procuring it; and as no fixed laws for the regulations of property can be so contrived as to provide for the relief of every case of distress which may arise. These cases and distresses, when their right and share in the common stock was given up or taken from them, were supposed to be left to the voluntary bounty of those who might be acquainted with the exigencies of their situation, and in the way of affording assistance: and therefore, when the partition of property is rigidly maintained against the claims of indigence and distress, it is maintained in opposition to the intention of those who made it, and to his, who is the supreme Proprietor of every thing, and who has filled the world with plenteousness for the sustentation and comfort of *all* whom he sends into it."——Nothing can be more just and reasonable than this; and it must be a monster, or something next to a monster, to call its reasonableness into question. MR. BUTLER BRYAN, who, in his "*Practical View of Ireland*," after making this quotation from PALEX, observes, "that the right of the poor to support, and the right of the rich to engross, are *co-relative*, and *reciprocal* privileges; the former being the *condition* on which the latter is enjoyed;" than which nothing can be truer, nothing more evident to any but a corrupted and merciless mind.

MONTESQUIEU gives excellent reasons. After stating that a man ought not to be called *poor*, merely because he has neither land, nor house, nor goods; that his labour is property; that it is better than an annuity; that the mechanic who gives his art to his children has left them a fortune, and a better fortune than a few acres of land divided amongst them: after having thus premised; and

further stated, that a government draws its support from the labour of the people, he comes home to the question before us, and says, “the *state* is bound to supply the necessities of the aged, the sick, and the orphan. Those *alms*, which are given to a naked man in the streets, do not fulfil the *obligations of the state*, which owes to every citizen a certain subsistence. The riches of a state arise from the labour of the people. Amidst the numerous branches of trade, it is impossible but some must suffer; and, consequently, the mechanics must be in a momentary necessity. Therefore, the state owes to every citizen a proper nourishment, convenient clothing, and a kind of life not incompatible with health.”

It must be a monster in human shape, to deny the justice and reasonableness of this; and it was reserved for the monster MALTHUS, to suggest to English landlords the setting of all these authorities at defiance. But, we may be told, perhaps, that the poor-law *amendment* bill does not deny relief *altogether*. Yes; but it enables the Government arbitrarily to prescribe *such conditions*, as to make it impossible that a man should not suffer death by starvation, rather than accept of any relief so tendered him; it tenders him relief upon such terms, that he must become the vilest of slaves before he can obtain it. And, now, let us hear Mr. LOCKE upon this subject, and upon the subject of the right of the landlord, so to use their lands as to cause the nations to perish of hunger or of cold. “We know that God has not left one man so to the mercy of another, that he may starve him, if he please. God, the Lord and Father of all, has given no one of his children such a property in his peculiar portion of the things of this

world, but that he has given his needy brother a right to the surplusage of his goods ; so that it cannot justly be denied him, when his pressing wants call for it ; and, therefore, no man could ever have a just power over the life of another by right of property in land or possessions ; since it would always be a sin in any man of estate, to let his brother perish for want of affording him relief out of his plenty. As *justice* gives every man a title to the product of his honest industry, and the fair acquisitions of his ancestors descended to him ; so *charity* gives every man a title to so much out of another's plenty as will keep him from extreme want, where he has no means to subsist otherwise : and a man can no more make use of another's necessity to force him to become his vassal, by withholding that relief which God requires him to afford to the wants of his brother, than he that has more strength can seize upon a weaker, master him to his obedience, and, with a dagger at his throat, offer him *death* or *slavery*."

Thus, then, if the government give power to Commissioners, to make it as "IRKSOME" as possible to the destitute to obtain relief: if it be not to be obtained without close imprisonment in a workhouse, at a great distance from the house of the poor person ; if the necessitous man be compelled to submit to wear a workhouse-dress ; if he be wholly separated from his wife, night and day ; if their children be wholly separated from them both ; if they be cut off from all communication of every sort with friends outside of the prison ; if no one can possibly come to claim their bodies, if they should die ; and if, in case of death, a hired overseer brought from a distance, have the power to dispose of their bodies for dissection : if all this be

so, have we not before us the very case, which Mr. LOCKE supposes ; have we not before us that, which amounts to offering a man *death* or slavery ?

I could go on citing authorities, but it is wholly unnecessary. And, I shall now come to what is the main thing of all ; that is to say, to show, that, if you maintain that the poor have *no right*, no *legal* right, to relief, you loosen all the ligaments of property ; and begin that career, which must end in a contest for property between the poor and the rich : you loosen all the bonds of allegiance ; you get rid of all its duties ; you proclaim that *might*, and not *right*, is to prevail ; and, in short, you do all in your power to break up the social compact ; to produce confusion ; and to leave to chance a settlement anew.

We have seen, in the foregoing Letters, that the duty of allegiance implies the reciprocal duty of protection ; and we have now seen, that it is the duty of a state to give protection to all the citizens, or persons, living under it, and owing it allegiance. Not only protection against violences committed against the property, or the person of a man : not only protection against assaults, arsons, and robberies ; but against hunger, nakedness, and all those things which expose life and limb to danger. This protection is a condition inseparable from the duty of allegiance ; and, if the condition be not observed, the bond in this, as in all other cases, is forfeited. When a man commits treason, or rebellion, his crime consists, not in the act itself ; but in this, that the act is contrary to his bond of allegiance. Protection is essential to the force of that bond ; and, therefore, how ought men to tremble at the idea ; how fearful ought to be the thought, in the

mind of a statesman in particular, of suffering landlords so to act, as to take away this protection.

The laws of this country have, for several hundreds of years, and, indeed, always, given to the king, as chief magistrate of the nation, the power to forbid, at his pleasure, any one, or more, of his subjects to quit the kingdom; and, at his pleasure, to order any one, or more, of them, who happen to be abroad, to return into the kingdom; and this, too, upon pain of fine and imprisonment in case of disobedience. The same thing has been frequently done by act of parliament; and such an act was in force a very little while ago; and may be in force again, whenever the king and parliament shall please. It was in force in 1817; and I, being on board of ship, at LIVERPOOL, going to America, saw TWO ARTIFICERS dragged out from under some sails where they had hidden themselves; brought on shore, and compelled to remain on shore.

Now this is very old law. It existed in the time of EDWARD THE FIRST; and the ground of it was that such artificers might "instruct and assist foreigners to rival us in our several trades and manufactures." This law continued unbroken down to the time of EDWARD the Third; in the next reign there was an exception made in favour of lords and other great men, and great merchants. In the reign of JAMES the First this act was repealed; and I find no renewal of it till the reign of George the Third. It was repealed again in the reign of GEORGE the Fourth, but may be re-enacted again any day. But, what an unjust, what a barbarous, what a tyrannical, what an infamous law is this, and how well do all those epithets apply to the power which the king has, if we, with the monster MALTHUS, and his

disciples, contend that the destitute have no legal right to relief from the community !

Look, if you have patience, at the possible, and even probable, condition of every English artificer, if you deprive him of this *legal right to relief* ! He cannot earn a sufficiency to maintain his family in England. He comes to you, and demands assistance to preserve the life and health of himself and family. You *refuse* him ; or, you offer it him on condition that he wear the workhouse dress, be separated from wife and children, be cut off from friends and relatives, with chance of the bodies of all the family being disposed for dissection. Thus placed between starvation and the most base of all slavery ; and knowing, not only that he can earn, in America, sufficient wages to keep his family ; but that, if he there chance to fall into similar want that has come upon him in England, the law will give him and his family support, leaving them at liberty at the same time, and leaving them to inter the bodies of one another, if they die ; or giving them the assurance that those bodies will have decent Christian burial, and will not be disposed of for dissection. Thus placed, the English artificer sells his little all, begs the remainder from his friends, or from charitable persons ; and gets on board of ship in order to get out of the reach of STURGES BOURNE, two thousand-a-year LEWIS, and penny-a-line CHADWICK. Your officers at the port seize him ; bring him back to the land ; cast him down upon it, and there leave him !

Why, the bare thought fills one with indignation approaching to fury ! What is a government to expect, when it places before the working people conditions like these, of being suffered to live ? What is the ground upon which the artificer is

forcibly detained in the kingdom? Why, that, by going out of it, he communicates to other nations the art which he has learnt in it, and thereby does an *injury* to his native country. Upon the same ground every one is forbidden to go to an enemy's country during war. These grounds are tenable, if you make legal provision, according to the doctrine of MONTESQUIEU, "that the State owes to every citizen a proper nourishment, convenient clothing, and a kind of life not incompatible with health." But, if you deny this nourishment in case of need; if you make no legal provision for the supplying of it, you exercise the most hateful of tyranny in insisting on the right of the State to retain a man in his native country.

Thus, away goes another part of the social compact: away goes another of the ligaments of civil society. And, does not the *duty of defending one's country in arms* go away also? The king, or chief of the commonwealth, has an undoubted right to call out all the people capable of bearing arms to defend the country; or to defend himself and the laws, in the case of internal commotion; whether he do this by his other officers, or by the sheriffs, or magistrates. To refuse to come forth is a crime punishable by law; and it is so upon the ground, that the *State yields protection* to every man; not only secures to him the enjoyment of life and limb, but secures to him, in case of his necessity, a sufficiency of food and raiment and lodging, compatible not only with life but with health; and these things it provides for him, on the ground, as BLACKSTONE states it, that the provision is founded in the principle of civil society; to which ground also it is traced by all the other great authorities before cited. But, will you exact this duty from the work-

ing man, and deny him that protection which is the foundation of the duty? Will you be guilty of the monstrous tyranny to punish a man as a traitor, or a deserter, because he refuses to risk his life in upholding a state of things, which, in case of extreme poverty, leaves him no choice but that of *death*, or *slavery*; and that, too, a slavery worse than death!

We have seen, in Letter II., that service in arms, for defence of the king and the commonwealth, was due from the *landed estates*; and that, when the king called upon them for the purpose, it was the duty of the landlords to come out in arms themselves, and to bring out their tenants, at their own expense. This was perfectly just; because they held the lands on this condition. We have seen, in the same Letter II., how CROMWELL and his crew released the landlords from this duty. But, there was military force occasionally still necessary; and, by degrees, this duty has been wholly shaken off by the landlords, and *cast entirely upon the working people*: shifted from *the land*, and laid upon *the labour*.

However, the duty of rendering this service to the State must now rest upon the militia-man's claim, in case of need, to share in the fruits of the land; for, if that ground be wanting, how are we to denominate the act of compelling him to perform such duty, on pain of suffering, *flogging*, or *death*? What! tell him, in the words of MALTHUS and BROUGHAM (for BROUGHAM applauds all the sentiments of MALTHUS:) tell him, that he has, in case of his utmost extremity, "no claim upon the community for even the smallest portion of food;" and tell him, the next moment, that it is his duty to come forth and venture his life in defence of that community: tell him, that he has no claim whatso-

ever on the fruits of the land, even to save his life ; and tell him, the next minute, that it is his duty to hazard that life in defence of that land !

Why, words are useless in such a case : the bare pronouncing of them makes the blood fry in one's veins : vengeful feelings rush forward and choke the voice of indignant abhorrence.

Away then goes another tie : another great duty enjoined by the laws. Nor are we to stop here. You insist that the working man is rightfully called upon to pay TAXES. And you now, at this time, take from a working man *eleven pounds seven shillings and sevenpence* a year, out of *twenty-two pounds ten shillings*, as is very clearly proved in the "*Agricultural and Industrial Magazine*," published and circulated under the authority of *twenty-one members of parliament*, all of whom, except two or three, are great landlords. Upon what *ground*, then, do these members of parliament suffer the working man thus to be taxed ? Why, that he, as well as they, stands in need of the State to secure him in the enjoyment of whatever he may possess or may earn. He has no possessions but those of life and limb, which no conqueror, no usurper, no rebel, ever did, or ever will, think of taking away from him. Oh, yes ! he has the further possession of a right to demand of the State, in case of necessity, a sufficiency to support this life and limb, by affording him every thing necessary and convenient to the maintenance of health as well as life. This is the *ground* upon which you tax him ; and what becomes of this ground, if, in case of his hard necessity, you tender him "*a coarser sort of diet*," a workhouse dress, a cutting off from wife, children, and friends, and a dissection of his body at death ; if, in short, your protection amounts, as Mr. LOCKE

calls it, to an offer of death or slavery? And, thus away goes another of the duties of the subject or the citizen.

We now approach the most dangerous of all the consequences of denying the RIGHT of relief to the indigent; namely, that of letting indigent persons loose *to help themselves to what they want*; and here we come to derive profit from all that we have hitherto seen in this little book, relative to the origin of property; the title to property; the extent of the uses of property; and the right to prevent others from participating, if they choose, in the enjoyment of any property that we may hold.

The hard-hearted and blasphemous wretches who deny the right of the poor; who, with the brutal and *pensioned* Parson MALTHUS, would tell the destitute working man, that "*he has no claim upon the community for even the smallest portion of food*;" these wretches say, that the poor working people ought to be "*thrown on their own resources*;" a phrase everlastingly in their mouths. When I made a motion for throwing the *pensioned* relations of lords, baronets and 'squires, upon *their own resources*, instead of taxing the working people to support them; when I did this, the "*reformed* House of Commons negatived my motion by *twenty to one*."

But, what is meant by *their own resources*? Do you throw them on their *own resources*, when you prevent them from quitting the kingdom to better their lot? Do you throw them upon their *own resources* when you compel them to come out and serve in the militia to defend the land or the king; to quit their employments; to leave behind them their aged parents, and their helpless children and wives; and to risk their lives into the bargain? Do

you throw them upon their *own resources* when you take from each working man taxes to the amount of one half of his earnings, to be given to what you call the support of the state ; when you lay this burden upon the child in the cradle for his life, and for the lives of his children, to pay the interest of debts, contracted long before the present working man himself was born ? Do you call this “ *throwing a working man upon his own resources* ? ”

This is a most dangerous saying : it leads directly to the most dangerous of consequences : it sends the minds of men back to the state of nature ; to discuss all the principles of natural justice ; and to arrive at last, at a conclusion which leaves the word *property* (the rights of which ought to be held sacred next after that of life and limb) a word without *meaning* ! This is the matter most worthy of the attention of legislators ; and it comes at last to this short proposition : “ that a man, in a state of extreme necessity, has *a right to use another's property*, when it is necessary for his own preservation to do so ; a *right to take, without, or against the owner's leave*, the first food, clothes, or shelter, he meets with, when he is in danger of perishing in want of them.” I take these words from Dr. PALEY, an archdeacon of the church of England. With Dr. PALEY all the authorities agree : GROTIUS, PUFFENDORF ; all the great civilians of other countries ; all the Fathers of the church ; all the great lawyers of our own country, from the time of EDWARD the First, down to the present hour ; and it appears, that consonant with this, was the law of the ancient Britons, even before Christianity was known in this land. I shall content myself with the words of Lord BACON, the great pride of English learning and of English law. His words,

in his Law Tracts, are these (page 55 :) “ The law chargeth no man with default where the act is compulsory and not voluntary, and where there is not consent and election ; and, therefore, if either there be an impossibility for a man to do otherwise, or so great a perturbation of the judgment and the reason as in presumption of law man’s nature cannot overcome, such necessity carrieth a privilege in itself. Necessity is of three sorts : necessity of conservation in life, necessity of obedience, and necessity of the act of God, or of a stranger :—First, of conservation of life ; *if a man steal viands (victuals) to satisfy his present hunger, this is no felony nor larceny.*”

NOYES, in his “ *Maxims of English Law,*” says the same thing : all the great lawyers, of whatever political character, or opinions, or conduct, are in perfect accordance as to this matter. BLACKSTONE and HALE insist, that the taking of another man’s property, *never* can be defended, in England, upon the plea of necessity. But, on what ground do they say this ? “ Because charity is here, in England, reduced to a system, and *interwoven in our very constitution*, by the *several statutes* made for the *relief of the poor*. THEREFORE, our laws ought by no means to be taxed with being *unmerciful*, for denying this privilege to the necessitous.”

But, what follows, if you *abrogate* these statutes ? If you pass an act, as is recommended by MALTHUS, to refuse to the suffering creature “ even the smallest portion of food ;” if you hold with BROUGHAM, that a legal provision, even for the aged and destitute, is bad ; if you, in the words of Mr. LOCKE, tender the necessitous man, “ death or slavery ;” if you assert, that the landlords have a right so to use their lands, as to cause the natives to perish of

hunger, or of cold: if you do these things, then, BLACKSTONE and HALE, not only concede this dangerous right; not only agree with all the rest of the authorities, but give a practical confirmation of their doctrines.

“Throw them on *their own resources*,” indeed! Their own resources are *their time* for their own use; their *untaxed* earnings; their *eyes*, to see where the things are that they want; their *legs*, to carry them within reach of those things; their *hands*, to take them; their *teeth*, to eat them; their *heads* and *backs* and *feet*, to wear them; and their *hearts* and *arms* to punish those who would hinder them in the free use of these their “*own resources*.” These are the “*own resources*” of poor persons, if the laws of the community cast them off, and refer them back to that *law of nature*, which the stupid as well as hard-hearted Malthus says, has “*doomed them to starve*.” No, monster: that law has doomed them to increase and multiply, to live on the fruits of the earth; and the law of God, in the words of St. PAUL to TIMOTHY (c. 2, ver. 6,) has declared, that “the husbandman that laboureth must be *first* partaker of the fruits;” that law has commanded, that “the hungry shall be fed, the naked clothed, and the houseless taken in;” and with this law the law of England is in perfect accordance; for, as is most just, the land is to pay *poor-rates* before it pay *rent*; because the *labour* goes before the *crop*; and the labourer is to be *sheltered*, let who else may go without covering. And what can be more just; seeing, that, without his labour, there could be no covering for any body? And, as you do not, when *inability* to work, or *want of work*, renders the horse useless to you, for a while; as you do not, in such a case, leave the

animal to die of hunger, or turn him out to perish of cold ; as you give *him*, though not at work, comfort and sustenance ; who, that is not a hard-hearted brute, will deny, that comfort and sustenance are, in such a case, due to the labourer ? And, as to the “AGED AND INFIRM,” for whom BROUGHAM says, that *no legal provision ought to be made*, the natural winding up of the savage creed is, that they ought to be disposed of *as aged horses are* ; sending the former to the human cutters-up, as the latter are sent to the dogs !

There remains but one pretence for those who deny the rights of the labourer ; and that is the plea of necessity ; and this brings us round to the very point at which we started ; namely, the assertion, that if the rights of the poor be recognised, *the estates will be swallowed up*. How swallowed up ? not by an earthquake : the ground will still remain where it is, and the houses still stand where they are. No ; but there will be *no rents* to give to the landlord. Aye, there is sense in this. But without the labourer, the land is nothing worth. Without his labour there can be no tillage, no inclosure of fields, no tending of flocks, no breeding of animals, and a farm is worth no more than an equal number of acres of the sea, or of the air. It is the labour that causes the rents. Therefore the labouring people, whether in sickness or in health, are to have the first maintenance out of the land. Tell me not, that the farmer is *unable* to yield to the labourers their rights. In the very nature of things he must have ability to provide them with a sufficiency ; because his land produces ten times as much as they can consume ; and there are the nine tenths for the landlord, the parson, and the farmer, to divide

amongst them. So that this is a pretence flagrantly false.

Yes ; but the *government*, by the great sums that it requires to pay the debts that it has contracted, to support its pensioners of various sorts, and by the raising of the value of the money, wherein to pay its debts, comes and takes away a very large part of the nine tenths. This may be true ; but this is no ground for depriving the labourer of his share, especially as you refuse to him the giving of his vote in the choosing of those who make the laws, who contract the debts, and regulate the expenditure. This is a matter with which the labourer has nothing to do. This taking away, on the part of the government, is *right* ; or it is *wrong*. If *right*, why complain : if *wrong*, why not resist ? “ Resistance would be unlawful : ” in God’s name, then, submit to it quietly.

It *may* be right for the government to take away all the rents ; and if so, the government only *resumes* that which it *granted* ; but it cannot be right for the government to take away the fruit of the labourer ; for, *it never granted the labour*. A nation may exist without landlords ; but, without labourers, not only its political, but its physical, existence is impossible ; and therefore it is that the Apostle says, that “ The husbandman that labour-eth must be the *first* partaker of the fruits.” “ Muzzle not the ox,” says MOSES, by the command of God, as he “ treadeth out the corn ; ” and St. PAUL, in adverting to this command (1 Corinth. ch. 9. ver. 9,) “ Doth God take care for oxen ? Or saith he it altogether for our sakes ? For our sakes no doubt this is written : that he that plougheth should plough in hope ; and that he that thrasheth in hope should be partaker of his hope.” God forbids the

owner of the harvest to glean his fields, his olive groves, and his vineyards; but commands him to leave the gleanings to the poor: thus giving a share, even to those who may not have laboured at all: and the righteous laws of our own country are in conformity with this law of God, giving the poor as perfect a right to glean, as they give to the farmer his right to the crop. Well, then, what is the conclusion to which we come at last? Why, that the labourers have a right to subsistence out of the land, in all cases of inability to labour; that all those who are able to labour have a right to subsistence out of the land, in exchange for their labour; and that, if the holders of the land will not give them subsistence, in exchange for their labour, they have a right to the land itself. Thus we come to the conclusion, that, if these new, inhuman and diabolical doctrines were acted upon, instead of giving that "*security to property*," which is their pretence, there would be an end of all respect for, and of all right to, property of every description!

Oh, no! my friends, the working people of England! Let us resolve to hold fast to the laws of God, and the laws of England; let us continue to hold theft and robbery in abhorrence; let us continue to look upon the property of our neighbour as something which we ought not even to covet, and as, next after life and limb, the thing most sacred on earth; but, let us, at the same time, perish, rather than acknowledge, that the holders of the lands have a right so to use them, as to cause the natives to perish of hunger, or of cold.











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